California Journal
The Monthly Analysis of State Government and Politics
NOVEMBER 1984/$2.50

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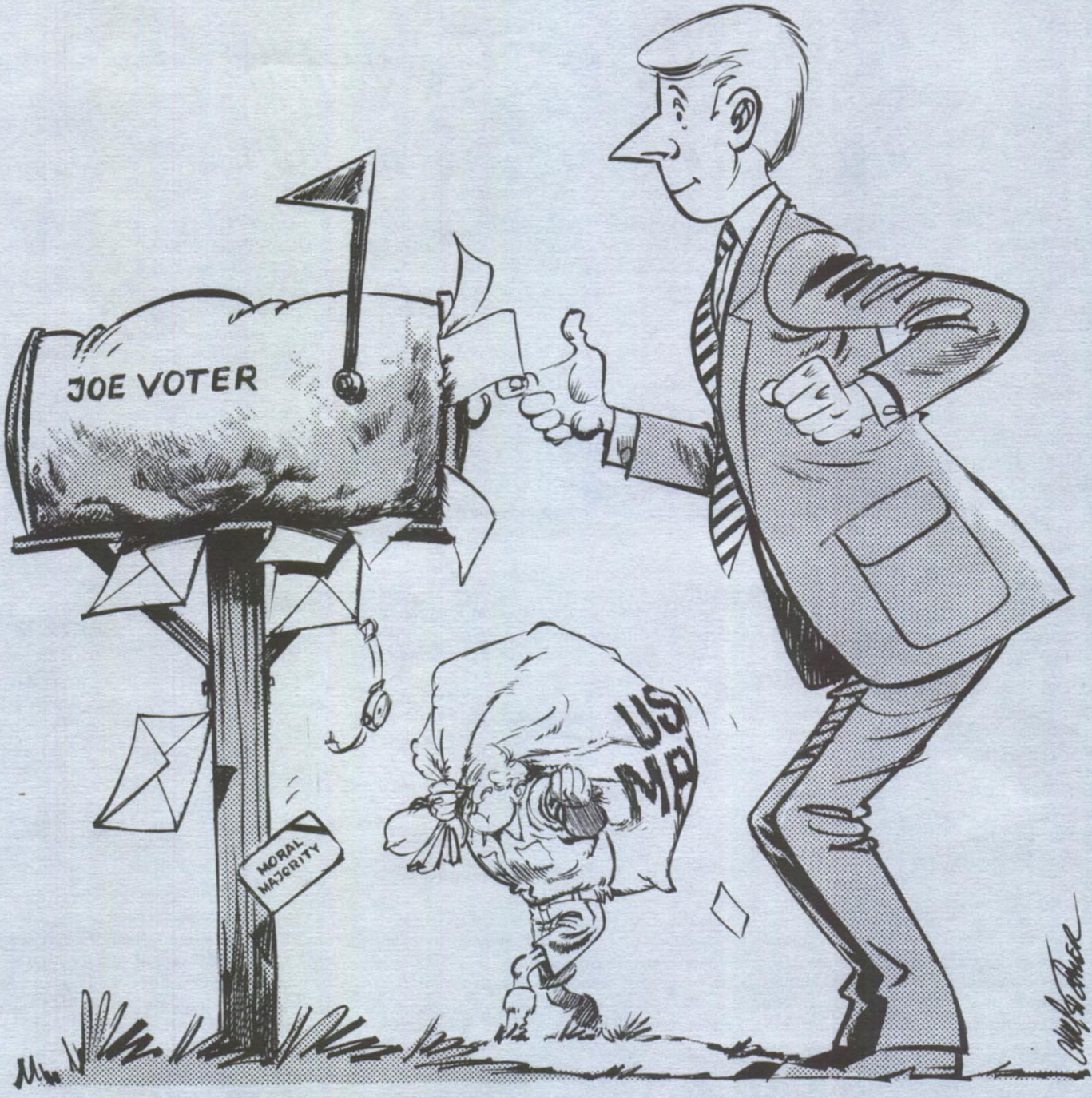

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California Journal

The Monthly Analysis of State Government and Politics

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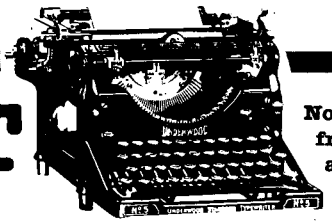
UP FRONT



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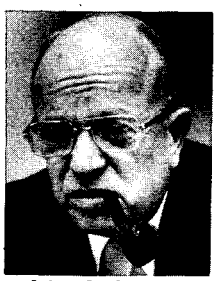

California journalism lost one of its warmest, most decent and inspiring practitioners last month with the sudden death of Norman A. Cherniss, executive editor of the *Riverside Press-Enterprise*. Although many of his friends knew that he'd had heart problems, his passing at age 58 was a grievous shock. A man of many achievements and honors, Cherniss nevertheless found time to keep up with what others in the business were doing and what needed to be done. He was often on the phone and, when travelling, probably never ate a breakfast, lunch or dinner alone. But to share a meal with him was much more than a delightful exchange of news. One left with a renewed respect for the standards of this business and for a man who would not let them be ignored.

If an innocent bystander is talked into becoming a politician, who should be responsible for his campaign debts? Republican Ross Tharp, who ran for a San Diego Assembly seat in 1980, says he's the innocent and that a $40,000 advertising debt should be paid by those who convinced him to run: former GOP Assembly Leader Carol Hallett and two of her staffers back then, Ed Rollins and Tom Dey. Tharp, a Superior Court judge in San Diego, has filed suit in Sacramento to have them pay the debt.

The State Bar's board of governors has taken a few steps to reform its Judicial Nominees Evaluation Commission, the 25-member group that evaluates potential gubernatorial appointees to the courts. (see "Commission on Trial," *CJ*, March 1984). In response to complaints that commissioners were playing politics and revealing their supposedly confidential findings to the press, Bar governors set up an investigating committee in September 1983 and last August approved in principle three of the committee's recommendations. They would (1) set up an appeals process for candidates who feel they had been wronged; (2) create a method for removing a commissioner who violated JNE rules, particularly rules governing confidentiality and conflict-of-interest; and (3) appoint a special committee to investigate claims of leaks. The board rejected a recommendation that a gubernatorial representative be allowed to sit in on JNE meetings.

(Carol Benfell, Washington)

As was fearlessly reported in this space last June, state law says there are to be only five super agencies in state government, but a chart on the back cover of the state phone directory shows six. We further disclosed that the phone directory identifies the secretary of this questionable agency as one Gordon Duffy, also known as chairman of the Air Resources Board. Now comes Peter Detwiler, a Senate committee consultant, to explain this strange affair. Detwiler says that former Governor Jerry Brown tried to create a sixth super agency — for environmental affairs — back in 1975 and wanted to make Tom Quinn, his friend and political strategist, its secretary. But the Legislature balked (something to do with a flap over the Energy Commission) and Quinn got no higher than the Air Resources chairmanship. However, the administration eventually slipped through a bill that gave the board chairman some additional responsibility: overseer of the Solid Waste Management Board (garbage) and the State Water Resources Control Board (dirty water). Thus, the law allows ARB chairman Duffy to oversee not only dirty air but garbage and dirty water as well. This doesn't make Duffy an agency secretary, says Detwiler, but it comes close.

Regardless of your position on the abortion issue — for, against or no comment — you might like to know that GOP Assemblyman Don Sebastiani has found a unique way to spend your money to support his anti-abortion view. While the usual press release runs to two pages and costs about 14-cents each to produce, Sebastiani recently issued a release (an attack on the state Office of Family Planning) that ran to 115 pages and cost taxpayers $3.15 per copy. Most of it was the text of a lawsuit filed two years ago against the family planning agency and its role in the distribution of a sex-education manual. Sebastiani says he distributed the document because he wants people to know about the state's role in abortion funding and because the lawsuit is filled with "pithy facts." Maybe so, but it also includes many not-so-pithy pages of case citations, footnotes and other such legal droppings. With a 149 copies having been distributed, the total cost was a measly $469.35. But it was ordered by a man who likes to preach elsewhere about the outrageous cost of government.

We reported last month that John Paul Stark, who is challenging incumbent Congressman George Brown in the 36th District, tried to liven up a previous campaign by dressing in a revolutionary war uniform to hand out his campaign literature. But writer Bill Greenburg tells us now that it was another of Brown's opponents, back in 1978, who did that. Stark, we are told, is not that sort of person.

In one of its recent newsletters, the California Teachers Association made an understandable mistake and one that's worth pondering for a moment. The newsletter, in its lead item, identified Paul Gann as a former senator. Though Gann tried for the U.S. Senate in 1980, he was never elected, nor has he served in the Legislature. But given his impact on state government — starting with his co-authorship of Proposition 13 in 1978 and followed by three other successful initiatives — it's easy to think of him as an important government official. If his latest proposal — to restore a part-time Legislature and limit members' terms — is successful, many persons may start thinking of him as governor.

In last month's issue, in an article about California Progressives, we mistakenly named Collis P. Huntington as "Cyrus P. Huntington." You all know who Huntington was, of course. If not, come and be an editor here.

Lobbyist Karen Coker wants it known that her associate, Dennis Carpenter, never steals clients from someone else. This is in case some people misread an item we carried here last month about Orange County and its decision to resign from the County Supervisors Association, which is a lobbying group. In the item, we also said that the county had hired Carpenter to represent it. Coker

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says that Carpenter was already employed by Orange County when it left the association. Thus, you should perish any thought that he may have urged the county to leave so that he could take over its lobbying work. And finally, we said his salary from the county is $120,000 a year. It's $140,000, she says.

Democratic Congressman George Miller is happily letting it be known that the "pay-as-you-go" concept being pushed by Walter Mondale is largely Miller's idea. The Contra Costa Democrat originated the plan in 1982 and saw it incorporated in the budget act that passed the House in April. The proposal, which would require Congress to offset spending increases with higher taxes or cuts in other programs, is pending before the Senate. Whether its chances are better there than with Mondale, Miller doesn't say.

(Carol Benfell, Washington)

Eldridge Cleaver, the born-again conservative, is sounding a bit like the militant Black Panther of yore. In the case of Clare Morrison, an elderly widow who could not evict tenants from her home because of Berkeley's rent-control laws, Cleaver warned city officials to resolve the issue in her favor. If not, he said, "we shall secure Clare Morrison's house for her . . ." Who is "we?" In his September 21st ultimatum, Cleaver appealed for 25 volunteers — preferably Vietnam veterans "ready for action."

Speaking of Cleaver, the former Black Panther is now a candidate for the Berkeley City Council. He had previously announced that he would run as an independent against Democratic Congressman Ron Dellums of Oakland this November but changed his mind (see "The 1984 Primary," *CJ*, July 1984).

Bob Gore, newly hired flack for the state prison system, is being besieged by phone calls from Texas these days but nevertheless smiles admiringly at the PR genius of his predecessor, Phil Guthrie. Guthrie left the California system recently to become chief spokesman for Texas prisons. When confronted by difficult questions about inmate violence and other problems there, Guthrie's answer — according to Gore — is to tell local reporters that if they think things are bad in Texas they ought to check with what's happening in California. (By the way, this is Robert *J.* Gore, not the Robert *L.* Gore — also a p.r. man — whose ad appears in the *Journal's* business directory.)

Senator John Garamendi ought to get some sort of prize for the way he's not taking sides in the hot Senate contest between Senators Ray Johnson and John Doolittle (First District). This is the way he does it: "I've given a lot of thought to the Johnson-Doolittle race. It's very clear in my mind that among the two of those candidates, that Ray Johnson is far and away the better legislator. Now I'm not taking a position on it . . . I'm not endorsing anybody at this time."

(Bob Aldrich, Rancho Cordova)

You'd think a man would be happy to have a thriving business carry his name. But Capitol lobbyist Jonathan C. Lewis believes that "J. Lewis Associates" doesn't have the proper ring. So, he's looking for something new and distinctive. To date, he has rejected "The Juice Co.," "Armtwisters Inc." and "Passionate Persuaders." We like "The Quick Fix." We just learned, however, that he's chosen the more exciting "JLA Advocates, Inc."

When Chuck Manatt, the Los Angeles lawyer and national chairman of the Democratic Party, returned recently to his home town (Audubon, Iowa) for a town-sponsored celebration in his honor, he was surprised to find himself surrounded by security guards. It seems that a local farmer was so distraught over losing his farm in the economic crunch that he had just threatened to kill the most prominent politician he could find. Which may explain why Manatt sounds so earnest lately when he declares that the nation's farm problems are all Reagan's fault.

(Richard Bergholz, Los Angeles)

Actor Ed Asner was in the Sacramento office of lobbyist Ethan Wagner, preparing to testify before a legislative committee, when he suddenly called for a copy of Shakespeare's *King Lear*. Wagner associate Ralph Simoni promptly pulled one from a nearby shelf. Amazed that such a book would be in such a place, Asner next called for a copy of *Othello*, which Simoni also produced. (Asner was looking to buttress his testimony with a particular quote from the bard.) Simoni says the leather-bound volumes had been in the office for some time, helping fill a fine-looking bookcase. What class! We would have filled it with back volumes of Reader's Digest condensed books.

Another previously unopposed Republican, Assemblyman Eric Seastrand of Salinas, now has a Democratic write-in foe in this month's election. She's Dr. Nell Langford, a professor of industrial psychology at Chapman College in Vandeburg. Seastrand is back on the campaign trail after recuperating during August and September from abdominal surgery.

Chairman Dan Stanford of the Fair Political Practices Commission was threatened with a lawsuit recently by a fellow commissioner if he (Stanford) went through with plans to publicly discuss Proposition 40 with its sponsor, GOP Assemblyman Ross Johnson, He and Johnson were to have appeared jointly at an October 13th meeting in Los Angeles to discuss the campaign finance-reform measure. Stanford is no friend of Johnson's plan and has been supporting a conflicting reform proposal. But he says he didn't want to debate Johnson; he merely wished to give "information" to the audience. However, another commissioner, reportedly Mickey Ziffren, noted that the FPPC is legally prohibited from becoming involved in election campaigns and threatened to sue Stanford if he appeared. Deciding that discretion is the better part of valor, Stanford stayed home. "That's why my life is so boring," he cracked with a smile.

The history of free men is never really written by chance but by choice — their choice.
— Dwight D. Eisenhower

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento 95814.*

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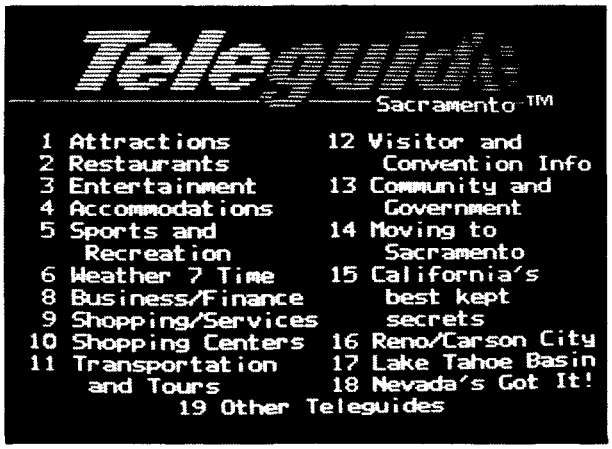

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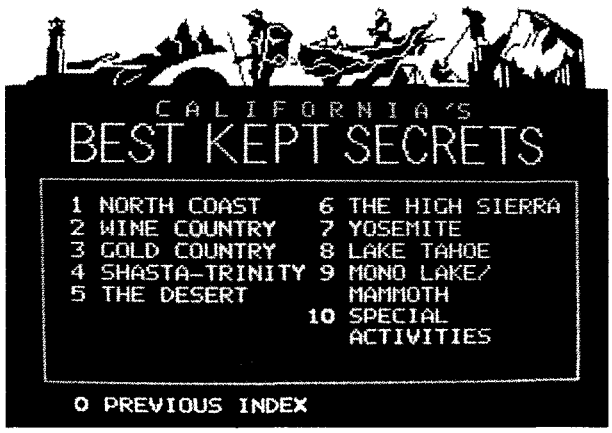

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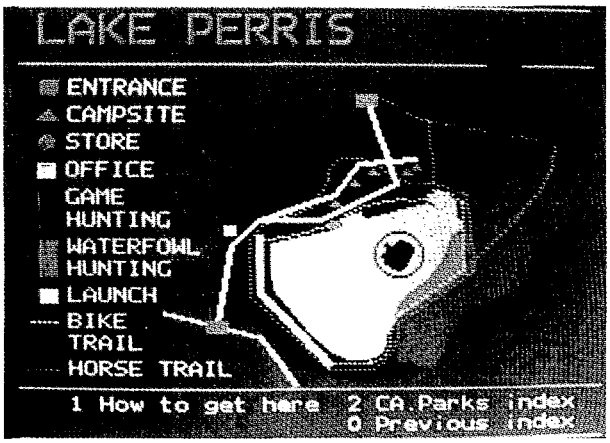

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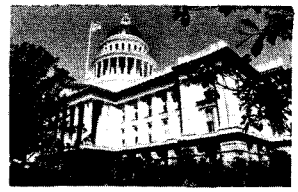

Capitol review

Fearsome Lou Papan is at it again. This time, the burly chairman of the Assembly Rules Committee has endeared himself to one and all by trying to boot an elderly man and his little shoeshine business from the State Capitol. Given the way things were handled, Papan deserves all the bad publicity he got. But in fairness it ought to be noted that his bluntness and lack of concern for niceties can also be turned to the public good. He has become, for instance, the unchallenged leader of what seems to be an effective legislative effort to protect California's public pension funds from the machinations of lazy and/or corrupt corporate managers.

The latter issue usually involves "greenmail," a payoff by corporate managers to some entrepreneur, or "corporate raider," who is trying to take over their firm. Often, the entrepreneur is portrayed as the bad guy. But that may be wrong. The managers may be doing a terrible job of running the company and the entrepreneur would bring enormous improvement. As a result, those who own stock in the corporation would benefit from the takeover.

But the managers, to protect their cushy jobs, don't want the entrepreneur to come in, so they spend big chunks of corporate money (greenmail) to fight him or buy him off. Thus, shareholders not only lose the benefit of better management but see the wealth of the corporation — and the value of their stock — decline.

Papan and the Legislature became involved because the State of California — through two huge pension funds — is a shareholder in more than 300 of the nation's largest corporations and has suffered financially from recent greenmail fights, including a well-publicized battle for control of Texaco. According to Richard Damm, a consultant with the Senate Office of Research, actual dollar amounts are hard to estimate but the potential loss from future battles is huge. Damm estimates that the two pension funds — one for public employees and the other for school teachers — hold $8 billion to $9 billion worth of stock between them.

A lot of this information was presented publicly October 9th at the State Capitol meeting of the Joint Committee on Pension Fund Investments, whose chairman is (Surprise!) Lou Papan. As he smiled down benignly from the dais, expert witnesses repeatedly praised earlier legislation (sponsored by Papan) that is giving California's pension funds the staff and resources to protect themselves from greenmail losses.

All of which should be of major interest to school teachers and the other government employees whose pensions will be protected and enhanced by Papan's efforts. But, as Papan will tell you resentfully, no one wants to talk about what he's doing for pensions. The only topic for him these days is the shining of shoes.

Papan's tussle with the shine man flowed from his role as chairman of the Legislature's Joint Rules Committee, the housekeeping group responsible for running the Capitol building. For reasons that were not initially clear, Papan tried in September to have the two-seat business removed from the building.

Knowing a good story when it saw one, *The Sacramento Bee* ran a large, front-page picture on September 18th alongside an account that began: "Benjamin Harrison Toney, 64-years-old and partially disabled, is facing eviction Oct. 1 from the shoeshine stand he has operated in the State Capitol for the past nine years." It went on to say that the eviction had been ordered by Papan and that it was being done to "upgrade the Capitol."

There is only one possible result from a story like that, particularly if it's picked up by the wire services (as this one was) and distributed around the nation. There was a massive outpouring of protest aimed at Papan in particular and politicians in general. Among other things, a local lawyer vowed to battle Papan in the courts and a trust fund was set up to buy Toney a new stand. At about the same time, Toney's assemblyman, Lloyd Connelly of Sacramento, took up the cause. Eventually, Governor George Deukmejian stepped in and Papan had to back off.

According to several accounts, Toney had managed to irk several persons at the Capitol before Papan acted. As Toney himself says, he recently criticized the Legislature by telling a television interviewer that lawmakers don't spend enough time with the people. Others contend that he bothered some persons around his first floor location with loud radio playing, gatherings of friends and frequent greetings to female passers-by. However, Assemblyman Connelly says that even if all the allegations against Toney were true (And how do you define a "bother?"), that's still no reason for an eviction. A warning, he says, should have been enough.

But, of course, that's not Papan's style. A man who believes that every confrontation must end in victory or defeat, he has never been known as a master of compromise. From the time 10 years ago when he sent a colleague to the hospital with a single punch to the moment last summer when he told Assemblyman Tom Hayden to get his son off the Assembly floor, Papan has been "The Enforcer."

Now 56, Papan says that he accepts his reputation and sees it as the price he must pay for his leadership position in the lower house. He wishes, though, that people would also look at what he's doing with pensions.

Robert Fairbanks

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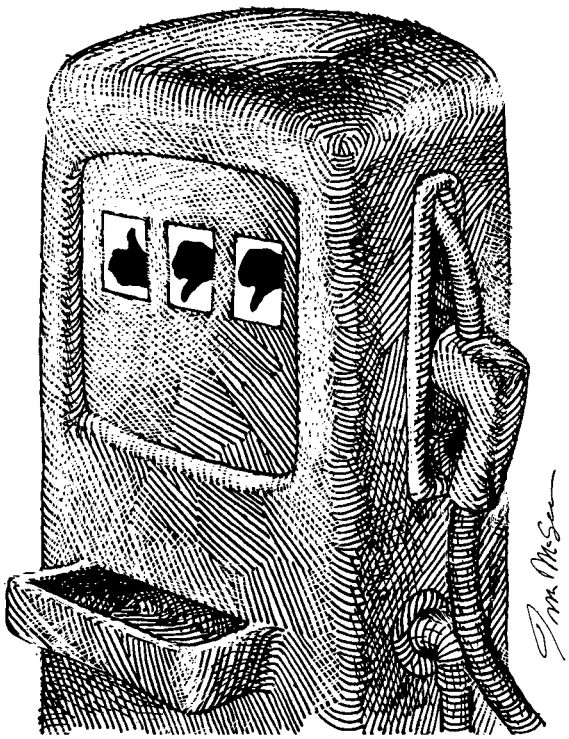
Few will pay for new roads

Editor's note: Local tax elections rarely interest anyone outside the locality involved, and often they don't even interest many of those inside. But they are worth looking at, for trends develop that suggest voter attitudes statewide. The following two articles look at local election trends in two key areas: highways and the public schools.

By HOWARD SEELYE



The San Diego Freeway through Orange County is bumper-to-bumper during rush hours, and the Newport/Costa Mesa Freeway jams up by three o'clock each afternoon. Orange County surface streets are a joke, and the county's major traffic artery, the Santa Ana Freeway, is an unmitigated disaster. The time is ripe to raise money for Orange County transportation relief, right?

Wrong. When county voters were asked last June to increase the sales tax from six to seven percent for 15 years — with new monies earmarked for road and transit projects — the result was an overwhelming "no." Although the proposal was supported by the county board of supervisors, many city councils, business groups and a $1.55 million publicity campaign, it lost by a landslide 70.2 percent. Only one precinct of the county's 2272 gave it a majority.

Was this vehement anti-tax attitude simply a manifestation of Orange County's often-noted conservatism? The record indicates that it was not; that it was part of a larger pattern affecting other areas of the state. While Californians may still enjoy their long-standing love affair with the automobile, they are not enamoured of tax proposals designed largely to finance highway maintenance and construction.

The evidence lies in a series of local elections authorized by SB215, the 1981 legislation that raised the state gas tax from seven to nine cents per gallon (see "The Gas Tax," *CJ*, July 1984). While imposing the state tax increase, the measure also permitted local governments to raise the levy even higher to finance local road improvements. But in line with 1978's Proposition 13, there had to be a public vote and a two-thirds majority had to approve.

Six counties attempted an additional two-cents a gallon. All made the effort in November 1982 and not one was successful (see table). But note, as a measure of public attitudes, that none of the counties received even simple majority approval — 50 percent plus one. The closest was Santa Cruz, where voters gave the tax plan 45.2 percent.

Interestingly, this voter antipathy to higher taxes for transportation has not been so evident when the new money is to be used for rapid transit. At the moment, seven California counties, encompassing more than half the state's population, finance local transit districts with half-cent additions to the six percent sales tax. All but one addition was voter-approved.

The non-approved tax was levied by the Legislature for BART, the Bay Area Rapid Transit District, which includes San Francisco, Alameda and Contra Costa counties. However, voters in the three counties had previously, in 1962, approved a $792 million bond issue to start the project. In 1966 voters in Berkeley approved a $12 million bond issue to run BART as a subway (instead of an elevated) through their area.

Elsewhere in Northern California the extra half-cent for transit was approved by San Mateo County voters in 1974, Santa Clara in 1976 and Santa Cruz in 1978. These were all simple majority elections.

In Southern California the extra sales tax is levied by the Los Angeles County Transportation Commission to help finance various transit projects, including the area's proposed subway system. Voters approved the half-cent increase by a simple majority in 1980, but only after rejecting it in 1968 and 1974.

The Orange County proposal was like these successful transit tax plans in that it went for a sales tax increase rather than a boost in the per-gallon tax on gasoline. Also, it contained a rapid-transit element. However, most of the money raised by the Orange County sales tax would have gone for roads and highways. Thus it was much more like the six gas tax elections of 1982, all of which, as mentioned above, were defeated.

Nevertheless, the defeat of the Orange County plan sur-

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Howard Seelye is a public relations consultant in Orange County.

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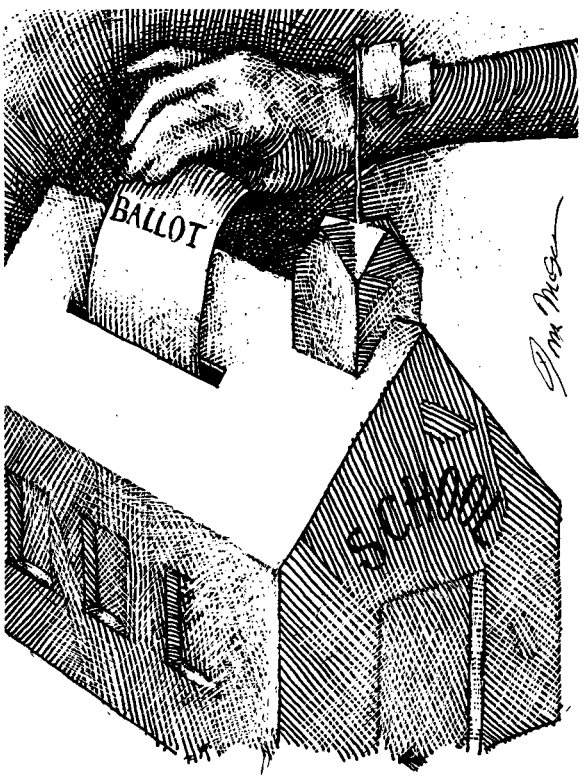
Majority votes for education

By LEONARD KREIDT

A little-noted series of tax elections in 13 school districts around the state indicates that Californians may be a lot more willing than is generally supposed to pay higher taxes for public schools. Given the anti-tax attitudes of most state officeholders, led by Governor George Deukmejian, one might believe that the Proposition 13 tax revolt of 1978 remains in full force and effect. But these election results — though hardly a scientific sample — suggest that is not the case.



The school district votes were the first since 1978 and were held in November 1983 and June 1984. In every case but one, a majority of voters approved higher taxes for schools. If these numbers are at all indicative of statewide attitudes, voter sentiments have undergone remarkable change. During the decade prior to passage of Proposition 13, less than half of all such tax proposals got majority support (see Table 2).

But we're talking here of simple majorities, 50 percent plus one. Unfortunately for the schools, Proposition 13 upped the majority requirements to two-thirds. Thus, although voters are supporting schools more strongly than before, the number of successful district elections is down from the days before Proposition 13. Of the 13 elections being analyzed here, only five met the two-thirds requirement (see Table 1).

Also because of Proposition 13 the school taxes could not be the old style, garden-variety, simple add-ons to the property tax rate. To meet the requirements of 13, the schools had to levy a "special tax" and the school districts themselves had to be redefined as "special districts." (Jarvis's Proposition 36, which is on the ballot this month, would nullify the redefinition and thus presumably nullify the new taxes in the five winning districts. However, district officials say that if Proposition 36 passes they will take their case to court.)

All 13 districts came up with essentially the same "special tax" proposal. It called for levying a specific dollar amount on each piece of affected property, regardless of the property's value. Also, the levy would continue for some specified period of time and the revenues were to be used for specified purposes. The purposes included class-size reductions, maintenance, new classrooms and restoration of high school and junior high school sixth periods.

It is impossible to look at all the proposals and see any pattern in the specifics that would explain why some were approved by voters and others failed. For example, Santa Monica-Malibu Unified won a 69.66 percent favorable vote on a plan to levy a $58-per-parcel tax for five years to finance curriculum improvements, plus pay raises for school employees. But another affluent district, San Mateo Union High — which serves elementary districts in San Mateo, Foster City, Millbrae, San Bruno, Hillsborough and Burlingame — won only 51.4 percent of the votes on a plan to tax every property parcel a maximum of $48 a year.

Historically in California, voters in upper-middle and upper-class districts have been more willing than others to impose higher taxes for schools. And though that may have been the case in some of these elections, the rule did not apply uniformly and there were exceptions.

Davis, home of a University of California campus and housing many of UC's personnel and their children, continued its tradition of strong public school support with a 72.3 percent vote. Likewise for Woodside, a community of five-acre-plus homesites tending toward wealthy horsiness. But San Mateo Union High, encompassing some of the wealthiest neighborhoods in Northern California, barely got a simple majority vote. Irvine Unified, likewise home of a UC campus, came up with only a 52.4 percent majority.

Meanwhile, one of the heaviest votes for higher taxes — 71 percent — came in Tulare Elementary, a district with a high proportion of families on welfare. The proposal there called for a $25 tax per parcel for six years and a one-time $400 tax on all new construction.

Overall, the most important factor determining the success or failure of a particular election was campaign technique. Except in Santa Monica-Malibu Unified, the campaigns were conceived and run by amateurs, although

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Leonard Kreidt, formerly with the California Teachers Association, is a freelance writer in Sacramento.

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How voters in seven California counties voted during the last two years on tax measures to raise funds for road and transit improvement programs:

June 5, 1984 Primary

(Simple Majority Required)

ORANGE COUNTY (Increase sales tax from 6% to 7%)

Yes	139,617 (29.8%)
No	328,883 (70.2%)

November 2, 1982

(Two-thirds required)

EL DORADO COUNTY (Increase gas tax 2 cents per gallon; no time limit)

Yes	12,664 (37.3%)
No	21,260 (62.7%)

HUMBOLDT COUNTY (Increase gas tax 2 cents per gallon for 5 years)

Yes	17,309 (39.6%)
No	26,406 (60.4%)

MENDOCINO COUNTY (Increase gas tax 2 cents per gallon for 3 years)

Yes	6,164 (24.6%)
No	18,885 (75.4%)

NEVADA COUNTY (Increase gas tax 2 cents per gallon for 5 years)

Yes	9,799 (39.4%)
No	15,068 (60.6%)

SAN DIEGO COUNTY (Increase gas tax 2 cents; no time limit)

Yes	213,174 (38.5%)
No	340,866 (61.5%)

SANTA CRUZ COUNTY (Increase gas tax 2 cents per gallon, 5 year limit)

Yes	33,923 (45.2%)
No	41,086 (54.8%)

Continued from page 428

prised many. Although many of the elected officials who formally supported it seemed privately lukewarm, enthusiastic support had come from prominent sources: the Automobile Club of Southern California, the county's big land developers and most of its big-business interests.

More important, many of the latter supporters gave more than their names to the cause. They also financed the aforementioned $1.55 million promotional campaign, which included an unprecedented radio and TV blitz that began nearly a month before the vote. Nowadays, $1.55 million may seem like peanuts for a top-notch promotional campaign. But in this case, it was massive, outspending the opposition by 16 to 1. (The opposition reported campaign spending of $97,394.) In general, the support message was that Orange County desperately needed improved transportation to continue prosperity and growth.

The proposal itself was nothing if not ambitious. The one-cent increase on the sales tax would have generated about $5 billion over its 15-year life, most of which would have gone into highway improvements, including three new freeways into areas of expected high growth. Perhaps with an eye on the previous successes of rapid transit proposals, supporters of the plan also included $1.2 billion for a 38-mile light rail line through the central part of the county. And finally, there was money for bus maintenance and local street improvements.

Another Solution

After Orange County voters defeated that sales-tax increase last June, county supervisors came up with a unique way to raise $600 million for new freeways. Last month, they created a program to charge fees on new construction within several square miles of two proposed freeways — San Joaquin Hills and Foothill/Eastern. The county will assess $1250 for each new home and $3.75 per square foot for new commercial space. Critics claim the program places too great a tax burden on new homeowners, while supporters — including most Orange County developers — say that the tax-increase defeat left the county few other options for building freeways. According to state officials, the Orange County effort is the largest fee program ever attempted in California.

Because of Proposition 13, the tax proposal seemed to need a two-thirds majority of local voters for approval. But special legislation (SB693 by Republican Senator William Campbell of Hacienda Heights) took advantage of a court-created exception to the Proposition 13 rule. Thus the measure went on the ballot needing only simple majority support.

So what went wrong? The broad-brush answer comes from Dan Griset, chairman of the Orange County Transportation Commission, an agency that was solidly behind the plan. He says follow-up studies indicate that voters simply did not wish to pay the higher tax. Against a backdrop of recently raised state and federal gas taxes, he says, voters felt that they should not have to raise local taxes and let the state — with its highway funding responsibilities — off the hook. Clearly, he continues, voters felt that current arrangements were acceptable and that elected officials should manage existing revenues more effectively.

But within that broad explanation are other factors. Many persons believe that the issue (Proposition A) was defeated not only because it raised taxes but because it would have benefitted a relatively small group of land developers headed by the Irvine Company, which contributed $100,000 to the support campaign.

Opponents had only to point to the fact that one of the proposed new freeways was to go through the Irvine Ranch, increasing property values enormously. Similarly, the 38-mile light-rail line was to start in Fullerton and end at South Coast Plaza, a hugely successful commercial and shopping center owned by the wealthy Segerstrom family, another heavy contributor to the Proposition A campaign.

And there were other such examples as well. "The developers are spending huge amounts of money to benefit themselves," declared Tom Rogers, a former chairman of the county Republican Central Committee and a leader of the opposition.

Griset agreed that the developers' interest figured prominently in the vote. "The innuendos of sweetheart deals between transportation officials and landowners and developers was an effective element in the 'No on A' campaign," he has complained.

However, exit polls conducted for Nelson-Padberg, the consulting firm that ran the support campaign, found no evidence that an anti-developer sentiment figured prominently in the vote. Only four percent of those questioned said they opposed the plan because of their "anti-big business" feelings.

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For the rest, the organized opposition came largely from environmentalists, who disliked the planned freeway construction, and from conservatives, who disliked the higher taxes. (Rogers was both.) The relatively little money raised by the opposition came from the county's auto dealers, who feared that the sales-tax increase would drive their customers into neighboring counties.

What now?

In any case, the Orange County vote is history and the question is: What now? Many local government officials continue to contend that their transportation systems urgently need more money. But Victor Pottorff, a lobbyist for the County Supervisors Association of California, sees little hope for success in local tax elections. "I have told everybody that if Orange County can't make it, nobody can," he says.

Pottorff says that the only hope for local government is to have the Legislature enact a statewide increase in the gas tax — perhaps by as much as five-cents per gallon — and earmark the revenues for local streets and roads. However, he sees little chance of that's happening without some encouragement from Governor George Deukmejian. And to date, at least, the governor (who undoubtedly reads gas-tax election results as well as anyone) has opposed the higher levy.

Rudy Massman, director of public works in San Diego County and a leader in local-government efforts to get more money for roads, says the public doesn't seem to understand how rapidly his county and others are falling behind in necessary road maintenance. Jokingly, he suggests that the county begin closing off streets and giving block parties around the potholes to make voters aware.

But not everyone is so pessimistic. In Santa Clara County, where voters approved a half-cent sales tax increase for transit eight years ago, officials are proposing another half-cent for highways. The plan is on the ballot this very month.

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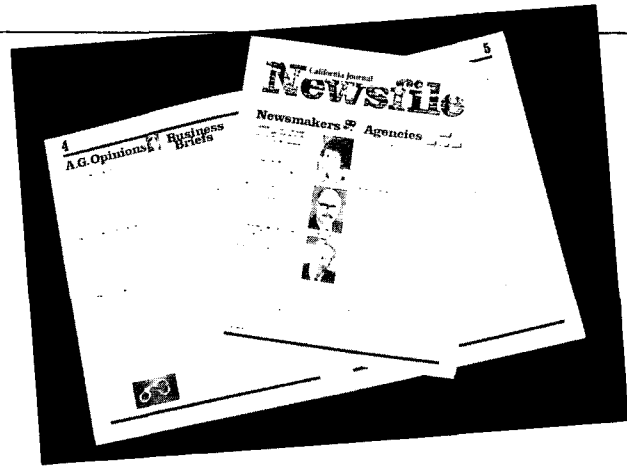

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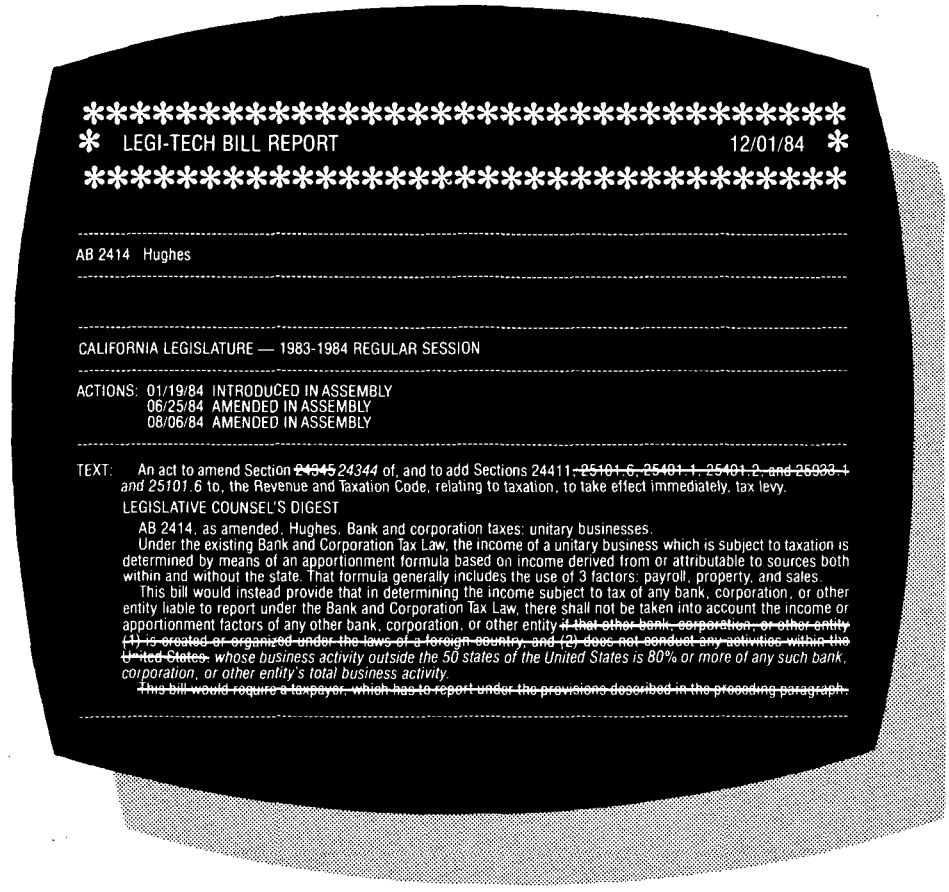

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* LEGI-TECH BILL REPORT 12/01/84 *
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AB 2414 Hughes

CALIFORNIA LEGISLATURE — 1983-1984 REGULAR SESSION

ACTIONS: 01/19/84 INTRODUCED IN ASSEMBLY
06/25/84 AMENDED IN ASSEMBLY
08/06/84 AMENDED IN ASSEMBLY

TEXT: An act to amend Section ~~24345~~ *24344* of, and to add Sections 24411, ~~25101.6, 25401.1, 25401.2, and 25933.1~~ *and 25101.6* to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2414, as amended, Hughes. Bank and corporation taxes: unitary businesses.

Under the existing Bank and Corporation Tax Law, the income of a unitary business which is subject to taxation is determined by means of an apportionment formula based on income derived from or attributable to sources both within and without the state. That formula generally includes the use of 3 factors: payroll, property, and sales.

This bill would instead provide that in determining the income subject to tax of any bank, corporation, or other entity liable to report under the Bank and Corporation Tax Law, there shall not be taken into account the income or apportionment factors of any other bank, corporation, or other entity ~~if that other bank, corporation, or other entity (1) is created or organized under the laws of a foreign country, and (2) does not conduct any activities within the United States,~~ *whose business activity outside the 50 states of the United States is 80% or more of any such bank, corporation, or other entity's total business activity.*

~~This bill would require a taxpayer, which has to report under the provisions described in the preceding paragraph,~~

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some of the school district administrators who have been through previous tax or bond elections might take exception to being thus characterized. The point is, however, that in districts where the voters were adequately informed and propagandized, special tax proposals won the required two-thirds majority vote. Where the voters weren't, they failed.

Tulare Elementary provides an excellent example of an amateur-mounted campaign that pulled out all the stops to ensure victory. First of all, Superintendent Bill Postelwaite brought some 200 community leaders together in groups of 15 or 20 to consider four possible proposals. When one was adopted, it was subjected to a broad-based community survey. On the basis of a 97 percent support showing, the district board adopted the appropriate resolutions to set the election in motion.

A slide-sound show was produced, providing background, delineating the district's fiscal problem, presenting the proposed solution and touching the appropriate emotional chords. Postelwaite himself presented it to 68 different audiences, his assistant to five.

Meanwhile, a citizen public-relations committee prepared and distributed newspaper ads and flyers. Teachers, administrators and students donned T-shirts which promoted "Classrooms for Kids" across the top, "Vote Yes Nov. 8" across the bottom, and displayed in between a country school scene accenting overcrowding. The result was the 71 percent vote.

Woodside Elementary's superintendent, George Sellman, faced a problem considerably different from that in

Approved Proposals

CHINO UNIFIED SCHOOL DISTRICT (San Bernardino)
Proposal: $400 one-time tax on new residential units for 3 years.
For: 60 new classrooms.
Vote Result: Approved, 71.5 percent majority.
ADA: 15,054*

DAVIS JOINT UNIFIED SD (Yolo)
Proposal: $45-per-parcel tax for 4 years.
For: Class size reduction, add 6th period classes, instructional materials, staff development.
Vote Result: Approved, 72.3 percent majority.
ADA: 5095

SANTA MONICA-MALIBU UNIFIED SD (Los Angeles)
Proposal: $58-per-parcel tax for 5 years.
For: Improving basic instruction, eliminating health-safety hazards, enforcing stricter graduation standards, providing library books and instructional materials, paying staff salaries.
Vote Result: Approved, 69.66 percent majority.
ADA: 10,466

TULARE ELEMENTARY SD (Tulare)
Proposal: $25-per-parcel tax plus $400 (one-time) tax on new construction for 6 years.
For: Classrooms and furniture.
Vote Result: Approved, 71 percent majority.
ADA: 4658

WOODSIDE ELEMENTARY SD (San Mateo)
Proposal: $96-per-parcel maximum tax for 10 years; school board sets rate level each year.
For: Restoring programs, funding maintenance and providing a computer laboratory.
Vote Result: Approved, 67.3 percent majority.
ADA: 217

Defeated Proposals

CLOVIS UNIFIED SD (Fresno)
Proposal: $60-per-dwelling tax (exempts non-residential property) for 5 years.
For: Additional classrooms as needed.
Vote Result: Defeated, 25 percent of vote.
ADA: 14,890

CUPERTINO UNION ELEMENTARY SD (Santa Clara)
Proposal: $100-per-dwelling tax, up to $5000-per-commercial parcel tax for 4 years.
For: Math, science, instructional materials and equipment, evaluation, training and pay for personnel.
Vote Result: Defeated, 59.8 percent of vote.
ADA: 11,544

FALL RIVER JOINT UNIFIED SD (Shasta)
Proposal: $16-per-parcel tax for 4 years.
For: Three elementary classrooms and two school buses.
Vote Result: Defeated, 50.1 percent of vote.
ADA: 1254

FOOTHILL-DeANZA COMMUNITY COLLEGE DISTRICT
Proposal: From $25 to $60-per-parcel tax for 4 years.
For: Capital improvements, maintenance and equipment.
Vote Result: Defeated, 57.6 percent of vote.

IRVINE UNIFIED SD (Orange)
Proposal: $50-per-parcel tax for 3 years.
For: Textbooks, computers.
Vote Result: Defeated, 52.4 percent of vote.
ADA: 15,827

LINDSEY UNIFIED SD (Tulare)
Proposal: $30-per-parcel tax for 6 years.
For: Additional classrooms.
Vote Result: Defeated, 55 percent of vote.
ADA: 2278

LIVERMORE VALLEY JOINT UNIFIED SD (Alameda)
Proposal: $50-per-parcel tax for 4 years.
For: Improvement of various programs, restoration of 6th period, instructional materials, computer lab, increase individual school budgets.
Vote Result: Defeated, 60.03 percent of vote.
ADA: 10,707

SAN MATEO UNION HIGH SD (San Mateo)
Proposal: $48-per-parcel tax for 4 years.
For: Academic courses and program improvements, library books and instructional materials.
Vote Result: Defeated, 51.4 percent of vote.
ADA: 9122

*ADA means Average Daily Attendance for the regular 1983-84 school year.

Of the 1482 tax-override and revenue-limit increase elections held between 1968 and 1978, 644 (or 43.4 percent) passed. Had Proposition 13 been in effect, with its two-thirds majority requirements, only 16.1 percent would have passed. Since the 1978 passage of Proposition 13, 38.5 percent have garnered the necessary two-thirds vote. Had only a simple majority been required, however, 92.3 percent would have been approved.

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Tulare but mounted a campaign appropriate for the circumstances. He had only a 5000 to 6000 population to contend with, so resorted, basically, to a time-honored "boiler room" approach. This was a 20-person telephone team that initially contacted every voter to ascertain his or her views on the special tax. Come election day, follow-up calls were made to voters who favored the tax on the earlier calls to urge them to get to the polls and vote. Circulars were produced and distributed mostly by members of a school foundation in operation for the previous three years.

Internal political wars in Santa Monica brought the special tax campaign in Santa Monica-Malibu Unified to a halt until the district hired a professional political campaign organizer, Lynn Magnan-Donovan, to get things moving. That was 42 days before the election. Magnan-Donovan looked upon chaos when she came aboard. The community, and thus the school board, was split politically. This polarization was aggravated by another ballot proposition, "Y", to change future school-board election dates. The "in" faction feared a change would turn power over to the "outs."

"I piggy-backed on every slate," Magnan-Donovan explained. She ran an independent campaign for the special tax, Proposition LL, with four pieces of targeted mail and a number of circulars. And she worked both sides of Proposition Y, getting those dedicated activists to carry her "paper."

In Irvine, San Mateo and Clovis the campaigns lacked direction and breadth, judging by comments of officials in the three districts.

Irvine Superintendent Corey frankly assessed the cause of defeat there as a failure to get the message out sufficiently to the voters. Instead of organizing the campaign and getting out the message themselves, school officials gave the job to school organizations, the PTA and parent-support groups, which turned out fact sheets, documentation and arguments for the special tax.

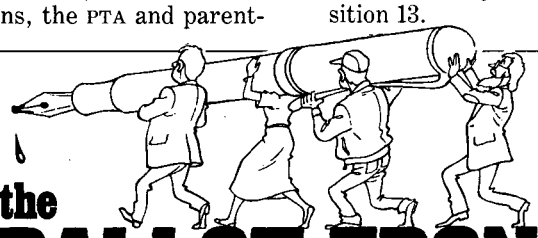
San Mateo Union High had a particularly difficult problem in that the campaign had to generate support in six separate communities. One of them, San Bruno, was conceivably disgruntled over the 1980 closing of a high school there by the San Mateo UHSD governing board. Also, until a late date, the district wavered between setting up a foundation to accept donations for the schools and imposing a special tax.

When the campaign for the special tax opened, the PTA and the district teachers' association carried the brunt of providing speakers, turning out mailings and placing advertising.

The poorest show of all was in Fresno County's Clovis Unified where the tax proposal went down with less than simple majority support. In fact, it's probably misleading even to talk of "support" when a proposal gets only 25 percent of the vote. Some there blame the defeat on bad campaign advice.

On the recommendation of a locally well-known and successful political campaigner, Superintendent Floyd Buchanan opted for a low-key effort aimed primarily at parents. That seemed to work well until three weeks before the election when apartment-house owners began drumming up opposition based on the exemption of non-residential property from the special tax. The low-key campaign wasn't able to get up steam soon enough to cope.

In any case, special taxes, as Tulare's Postelwaite pointed out, are not sufficient to end public school fiscal problems. But they can, if properly formulated and presented, take the edge off the gnawing financial hunger that has been many a district's lot since the passage of Proposition 13.



the BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 393,835 valid signatures; constitutional amendments require 630,136. The date in parentheses is the deadline for sponsors to submit signatures to county clerks. The Journal *issue listed in parentheses is where a more complete explanation of each initiative may be found.*

Continuing in circulation:

For the first time since February 1973, there are no initiative petitions in circulation

Initiatives qualified for the November ballot:

- **Proposition 35: BALANCED FEDERAL BUDGET** — an initiative statute, sponsored by Lewis Uhler, that requires the Legislature to send Congress a resolution calling for a constitutional amendment to balance the federal budget. This initiative was removed from the ballot by the state Supreme Court.
- **Proposition 36: TAXATION** — an initiative constitutional amendment, sponsored by Howard Jarvis, that amends Proposition 13 of 1978 to close loopholes Jarvis claims have been opened by the courts and others.
- **Proposition 37: LOTTERY: FUNDS FOR PUBLIC EDUCATION** — a constitutional amendment, sponsored by Barry Fadem on behalf of Scientific Games, Inc., that establishes a state lottery where 34 percent of all revenues must be used for public education.
- **Proposition 38: ENGLISH-ONLY VOTING MATERIALS** — an initiative statute, sponsored by Stanley Diamond of San Francisco, that requires the governor to write the president urging that federal law be amended to specify that all voting materials be printed only in English.
- **Proposition 39: REAPPORTIONMENT COMMISSION; REAPPORTIONMENT FOR 1986** — a constitutional amendment, sponsored by Governor George Deukmejian, that takes all reapportionment out of the hands of the Legislature and places it in the hands of a 10-member commission. The commission would reapportion for the 1986 elections.
- **Proposition 40: CAMPAIGN CONTRIBUTION LIMITATIONS** — an initiative statute, sponsored by GOP Assemblyman Ross Johnson, that limits an individual's contribution to $1000 per candidate and $250 per PAC or party; limits annual PAC contributions to $1000 per candidate; and provides that public funds be given to candidates to match unlimited personal expenditures by opponents.
- **Proposition 41: LIMITS ON WELFARE AND PUBLIC ASSISTANCE PROGRAMS** — an initiative statute also sponsored by Assemblyman Johnson that establishes a Public Assistance Commission and limits welfare expenditures in California to the national average, plus 10 percent.

Source: Secretary of State March Fong Eu.

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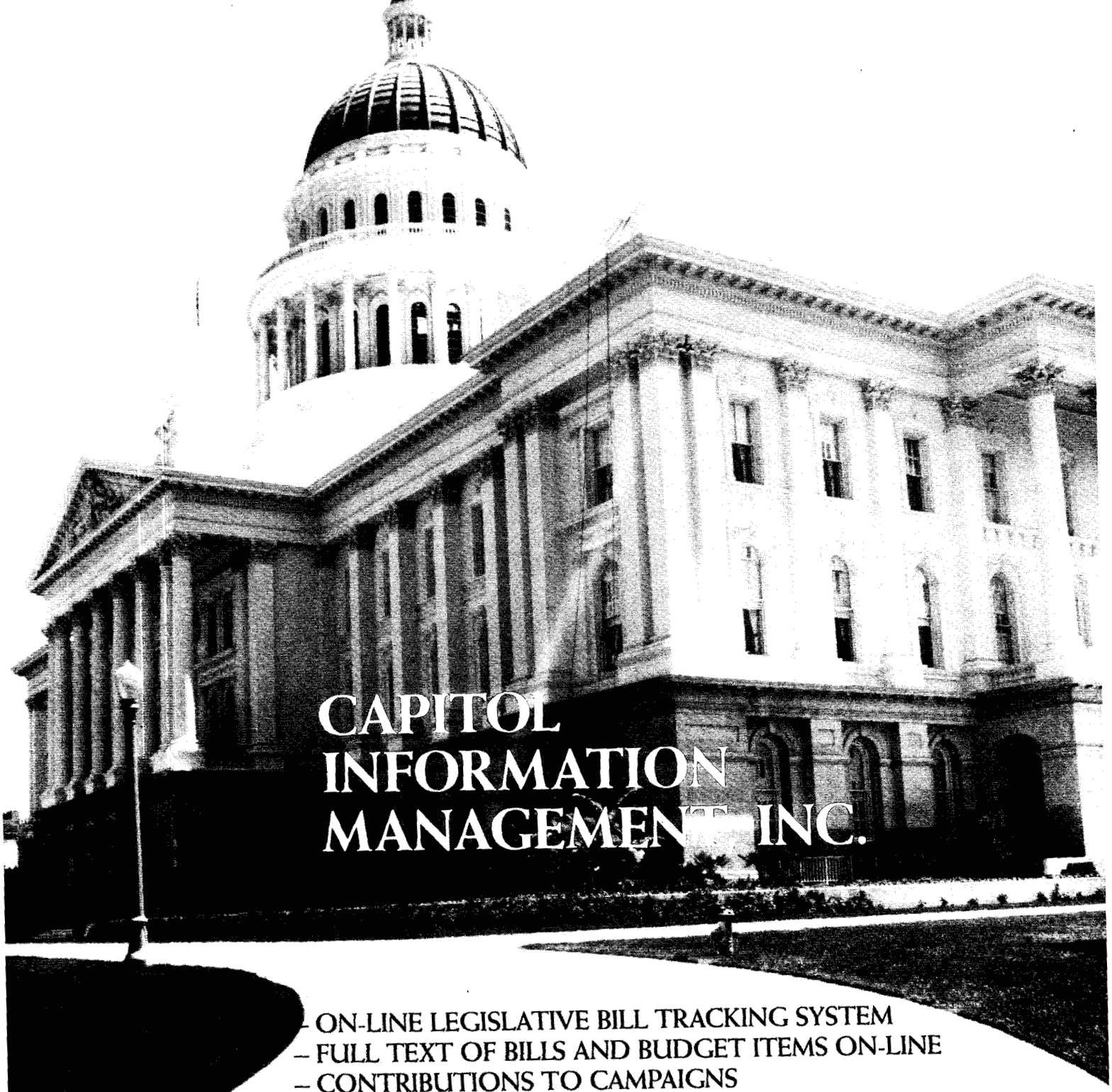

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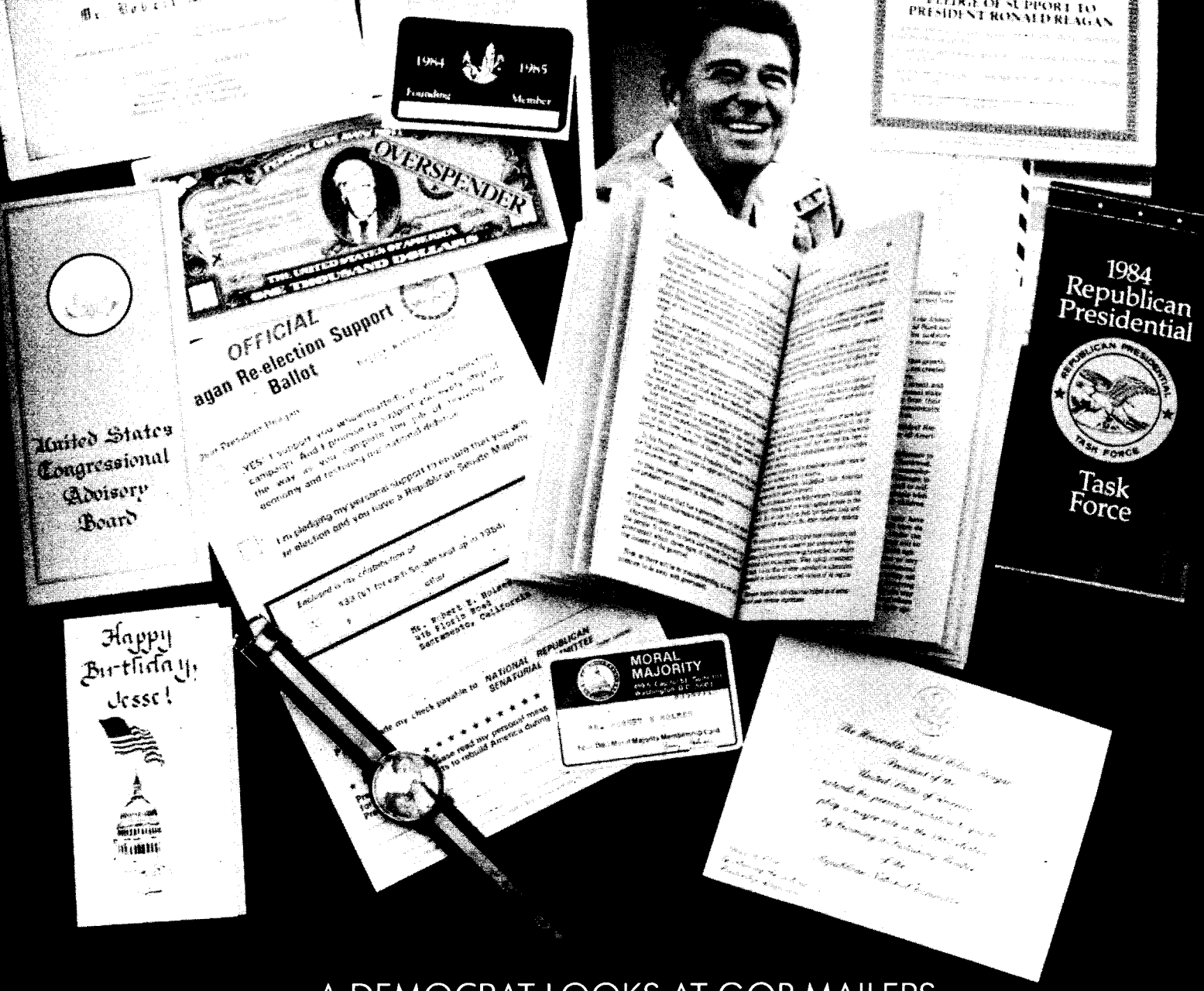

A DEMOCRAT LOOKS AT GOP MAILERS

INTRIGUING, QUIXOTIC — AND OCCASIONALLY BIZARRE

By BOB HOLMES

Would you like the inside scoop on Ted Kennedy's nude romp across a public beach in Florida, with his 91-year-old mother looking on?

Or a free Moral Majority membership card?

Or a framed two-dollar bill?

Or a watch with Ron and Nancy's picture on the face for just $25 and guaranteed — you guessed it — for four years?

What if you found out James Watt had said a prayer for you?

Would you like Nevada Senator Paul Laxalt's phone number?

If these items hold a certain fascination for you, and if you would like your mailbox filled with intriguing, sometimes quixotic and occasionally bizarre mail, just send a couple of bucks to the GOP or one of its kindred groups such as Citizens Against Liberal Legislation, CORK (Citizens Organized to Replace Kennedy) or the American Space Frontier Committee. I've been on their mailing lists for several years, and it's been an enlightening experience — particularly compared to being on the mailing lists of the National Democratic Party and its camp-following groups.

I'm a hardline Demo, and I send a few bills to the Dems (even do a little campaign work occasionally), but Demo mailings tend to be dull. Sincere, but dull. Oh, you'll get imploring missives on critical issues from National Chairman Chuck Manatt, or Joan Claybrook of Nader's Public Citizens group, or from the Gay and Les-

Bob Holmes, a staff consultant for state Senator Robert Presley, has become a connoisseur of political junk mail.

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bian League. But that's about it.

I probably landed on the GOP mailing lists in the late 1970s when I sent $25 for the Reagan watch to Citizens for the Republic (CFTR), Reagan's original campaign organization. CFTR then was selling Reagan tie clips, safety pins, cuff links, jockey shorts — whatever — to raise funds. The watch, a good conversation piece at dull parties, apparently earned me a spot on the List of Early Reagan Supporters. That $25, plus an occasional dollar and one $5 contribution, has kept me on an ever-widening circle of mailing lists. And once on those lists, never off — like taxes or lint.

But let no one make light of Republican or conservative mailings, least of all fellow Dems. Reep appeals have that intimate touch that makes you feel they know you personally and depend on you no matter how small your contribution. Their approaches are varied and skilled, and you get some good freebies. Computer professionalism at its best. Almost enough to make a Democrat contribute.

A sampling

Here are just a few of the appeals I've had to resist recently: A letter from Indiana Senator Richard Lugar, chairman of the Republican Presidential Task Force:

Without a real commitment on your part, Mr. Holmes, how could we ever convince President Reagan that he doesn't have to worry? I'll be meeting with the President again, soon, and I want to be able to assure him you're standing behind him. . . . It's in your hands now.

A letter from Curtis Mack, then-acting director of Citizens for the Republic:

You see, we have come to depend on your annual donation of $5 as a critical element in our national effort. . . . When I think of the long list of pro-Reagan candidates your annual donation of $5 helped elect, it becomes crystal clear we can't move forward without you.

Without my $5? Gee.

Then Lyn Nofziger wrote to say, "I have asked Curtis Mack to let me know immediately when your reply letter comes in." Lyn had written earlier to say how saddened he was when Curtis told him I had not sent in my $5 this year. He and Curtis had talked about it personally, he assured me.

And Illinois Congressman Dan Crane wrote to warn me that liberals are all out to get him with big lib money (is there such a thing?). "All I have is you," Dan writes. "You and I together in the past have made a great team." I don't even care much for Dan Crane or at least for his views or bedside manner, but he sounds so alone that I'm tempted to send in a dollar anyway. It's not fair that he should have to face all that lib money alone, he almost convinces me.

Then there is the birthday gambit, usually from the wife of a senator or other bigtime officeholder. One came recently from Jene (Dot) Helms, spouse of Jesse. Seemed the senator's 63rd birthday was just around the corner, and Dot wanted to surprise him with 63,000 birthday cards from his fans. Enclosed was a cute birthday card for me to personalize and mail to him in a postage-paid envelope. For my trouble, Dot sent a photo of Jesse smooching his newest baby granddaughter. Of course, Dot wanted more than a birthday card for her hubby. She also wanted to surprise him with $63,000 for his Senate campaign against North Carolina Governor James Hunt. So, if I could just enclose a dollar with that card . . .

Then comes the clincher letter from The Preseident Himself, asking for a few bills and including this personal touch:

I have included space on your acceptance for you to write me a personal note if you wish . . . I want you to know that even if you would just like to write a note of personal encouragement, Nancy and I would both be very appreciative.

Strong stuff. Especially when the only unusual item I received from my fellow Dems during that period was a telegram-looking appeal for money from Mario Cuomo shortly after his convention speech. Well timed, but not nearly as personal as the touch of the Grand Old Party.

A special target

You soon note in your mailbox harvest that Ted Kennedy seems to be a special target, a *bête noire*, his name used as a special lure to reel in the bucks. "Ted Kennedy hopes you'll throw this away," declares the envelope from the National Republican Senatorial Committee appeal. Inside it warns that if I fail to contribute, "Ted Kennedy could control the Senate by 1984."

Proclaims a mailing from Conservatives Against Liberal Legislation (CALL), "We have uncovered a major scandal involving Ted Kennedy." Enclosed are three postcards to Congressional investigative committees and a petition to Congress that I am to sign and send in — with money — to help publicize Ted's shady deals with the Federal Election Commission. CALL Director John Dolan promises, "I'll send you a photo of Tip O'Neill and Ted Kennedy's faces as we haul thousands of these petitions into Congress." Unfortunately, I sent no money so missed out on this photographic delight.

Later came a CALL "Urgentgram" from its "National Urgentgram Center" in Virginia seeking money against the nuclear freeze and warning: "Ted Kennedy is counting on you not to respond to this letter."

Gary G. Kreep (no kidding), director of an outfit called "Project: End Kennedy's Chappaquiddick Cover-Up," wrote for money and asked, "Isn't it time you and I end Ted Kennedy's cover-up?" Shortly, a very similar looking appeal but from a different address and director, and from a group calling itself CORK (Citizens Organized to Replace Kennedy), wrote and declared that Ted had run naked across a public beach in Palm Beach, Florida. It enclosed postcards of outrage I am to mail off, including one to Palm Beach Police Chief Joseph Terlizzese demanding a full investigation of this "disgusting, revolting and illegal act."

Beach neighbors were scandalized by Ted's "naked romp," CORK said, while asking for "$1,000, $500, $100 or at least $50, $25 or $15" to help defeat him. All this happened "with his 91-year-old mother looking on," the letter said. "Let's stop Ted Kennedy's wild ways and wild living," it demanded.

Now Ted Kennedy's probably my favorite Democrat (next to Robert Presley, of course) but I thought shame, shame, Ted, how could you?

Freebies

With Republican and GOP-oriented mailings, though, you do get a lot of good stuff, most of it free. The best thing that has come in from the Dems was a chance on a drawing for two tickets to the Demo National Convention. Nice, but from the Grand Old Party and its minions have come, among other things:

- a color photo of Ron — from Agriculture Secretary John Block — suitable for framing (John followed with a second letter to make sure I had received the photo — a nice touch);
- a red-white-and-blue book of Reagan quotations from the Lincoln Institute (not to be confused with the Lincoln Club);
- another color photo of Ron and Nancy waving from a helicopter;
- my own copy of the Confidential Plan to Re-elect the President;
- a clever copy of a thousand-dollar bill inscribed as a "Federal Give-Away Note" with Tip O-Neill's picture replacing Grover Cleveland's;

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- Moral Majority membership cards from Jerry Falwell (two years in a row), totally unsolicited but fun to whip out at parties, especially when the party gets out of hand;
- Senator Laxalt's personal, direct phone number to his Washington office.

The latter came in a letter from the Nevada senator, one of the president's top confidants. On the envelope it urged me to call this direct line to him because he personally wanted to know why I had not sent anything to the party lately. I really wanted to call the number to see if he was serious, or if this really was his number, but I didn't have the nerve.

Another fund appeal offered a framed $2 bill (who but the Reeps would have thought of such a novel gift, especially since banks have had trouble getting anyone to accept them).

The Republican Presidential Task Force ($12 a month — obviously out of my league) offered a gold medal and matching lapel pin and a ceremonial American flag "dedicated by the President's Orders in an official ceremony in the rotunda of our Nation's Capitol Building." Joiners would have their names kept with the President's personal papers, the letter said, and hinted:

Perhaps someday your grandchildren or great-grandchildren will see your name linked historically with President Reagan on this rare document.

Most surprising was a James Watt prayer for me (also unsolicited) when he wrote asking me to "stand with President Reagan and Americans for the Reagan Agenda," adding, "I pray you just said yes."

Sorry, Jim.

Sidelights

Most unusual mailing was a Democratic and Republican appeal in the same envelope. It was pen pal Lyn Nofziger again, saying that he had included a copy of this scurrilous Demo attack on the president — just to show me the lengths to which Democrats would go.

The Democratic and liberal-oriented appeals usually ask for standard amounts: $25, $50, $100, Other. (Both will accept Other). The Reeps more often asked for odd amounts — $2, $3, $8, $15 — apparently amounts spit out by the computer for small spenders such as myself. One mailing asked for $33 — one dollar for each GOP Senator up for re-election in 1984. Another sought $43.50, a dime for each of the 435 Republican House candidates, and I could send half now, half later if the total stipend was too much. The widow of Congressman Lawrence MacDonald, writing for the Conservative Alliance's appeal, suggested $26.90 would be appropriate, "Just 10 cents for each of the civilians killed on KAL 007," the Korean airliner shot down by the Russians and on which her husband died. Charles Colson wrote for help for his prison-reform campaign and his sincerity was impressive, since he knew prison firsthand. Most sobering letter came from a congressman who wanted money to set up a computerized file of "thousands of documents related to the internal security of our country." These, he said, would offset liberal efforts to undermine the nation's security system. Dossiers on everyone. Noticeably missing from all of this was any appeal from moderate or (pardon the expression) "liberal Republicans" from the Eastern establishment. Perhaps regular Reeps don't share mailing lists with them.

Along with reading all this refreshing mail, you will get to sign a plethora of petitions, take part in countless polls and surveys, all supposedly wanting your opinion or signature but more important, your money "to help make the results known in the right places." Jesse Helms wrote, irate about food-stamp fraud. He sent a three-question survey and a plea for money to help print and mail more copies of the survey. The conservative-oriented Pink Sheet on the Left (that's the title) sent along its Military Strength Poll with five questions slanted to get the answers it wanted. The National Crimefighters Survey Project sent a survey form with questions like, Do criminals still beat their mothers? and said it needed $736,000 to mail and publicize its survey findings. Would I help? Lt. General Daniel O. Graham, Retired, sent a letter and petition, warning that "liberals don't seem worried about Communist spies roaming the Halls of Congress" and asked me:

Do you think we should risk the lives of our men by letting Congress in on our military secrets? I sure don't."

The General said he needed $62,500 so his American Space Frontier Committee could "swamp the liberals with a quarter million petitions." The Dems and their friends apparently don't do much polling or surveying by mail so you don't get the satisfaction of seeing their results dumped *en masse* on Republican desks.

One of the most curious appeals came from the Council for Inter-American Security (CIS), which had somehow shared in my long-forgotten $2 contribution. Its panicky, telegram-looking appeal said:

I must hear from you by 2 p.m. Friday or else CIS will be forced to close down. Forever. CIS owes $52,695. Have only $246.34 in bank. Now President Reagan may lose vital CIS help . . . Your generosity of $2 helped to build CIS into one of the most influential conservative foreign-policy organizations in America today . . . Have promised to pay $30,000 to creditors by Oct. 9 and balance by Nov. 2. Please send check for $10 in yellow envelope today. If possible send second check for $5 in white envelope before Nov. 1. God bless you.

One had to admire L. Frances Bouchey, CIS executive vice president, for his boldness and, to some degree, for his forthrightness (although he didn't say where the money had gone).

Whatever your leanings or whatever the questions, the skill and thoroughness of the efforts of the Republicans and their allies impress. No piddly little contributor seems too small to escape their searchlight. Their mailings show a unique blend of state-of-the-art computer know-how, long distance TLC and the best elements of show-and-tell. I wondered what the results would have been if I had sent in significant contributions:

Ron on my doorstep some morning saying, "Well, Bob. Nancy and I just wanted you to know how much we appreciated your support. We were in Sacramento and . . . gee, is that coffee I smell roasting?"

The Republicans are usually thought of — at least by reporters and Democrats — as the "Party of the Big Money." But efforts like these, aimed at the small contributor, just may make them the "Party of the Majority" before long.

I was impressed. And like any good Democrat, scared!

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IRA REINER

A SCRAPPY MAVERICK TO BECOME LA'S NEW DA

By JOHN SCHWADA

When Tom Bradley ousted Sam Yorty as mayor of Los Angeles in 1973, Southern California's cast of political characters lost a particular type: the scrappy opportunist who pleases voters, makes headlines effortlessly and antagonizes other politicians. But in 1977 along came Ira Reiner, and he has been filling the role ever since.

And now Reiner — the Los Angeles city attorney — is moving to a bigger stage. On December 3rd, he will be sworn in as district attorney of Los Angeles County, the top local prosecutor in the state. As such, he is automatically the prime contender for state attorney general, as two of his recent predecessors, Evelle Younger and John Van de Kamp, have shown. And just ask the current governor, former Attorney General George Deukmejian, where you can go from there.

Bradley helped launch Reiner's political career in 1973 by appointing the then-37-year-old attorney to the city Fire Commission. But Reiner has been on his own ever since. In 1975 he won a seat on the Los Angeles Community College Board of Trustees and two years later made his first appearance at city hall. He had been elected city controller, the job he held before becoming the city attorney.

Shortly after Reiner became controller, Bradley learned that his former fire commissioner could be nettlesome. After Bradley floated a plan to enact a trash-collection fee, Reiner loudly denounced it, saying the city budget could be balanced without it. The stoical mayor, not given to unseemly displays, nevertheless called Reiner a "phony son-of-a-bitch." But the remark only helped build Reiner's reputation as a maverick.

Reiner resourcefully turned the city controller's office, theretofore a sleepy sinecure, into a watchdog unit and bully pulpit. A Democrat and ostensibly a member of the city hall club, Reiner in 1978 nevertheless came out for Proposition 13 — the tax-cutting initiative opposed by many Democrats and nearly all public officials. It was a bold act, and it endeared him to San Fernando Valley conservatives. They, and many others, also loved it when he refused to pay for certain junkets by various city commissioners.

And so things have gone. In 1981 Reiner won election as city attorney and last June scored another victory, defeating incumbent Robert Philibosian in the race for district attorney. Philibosian, an ally of the governor's, had never been elected to the office but had been appointed by the board of supervisors after Van de Kamp's 1982 election as state attorney general.

Not surprisingly, people tend to have strong, polarized reactions to Reiner, viewing him either as a demagogic publicity-hound or as a refreshingly outspoken man of conscience and independence. But put it all together and Reiner is LA County's second best-known local politican, his name identification ranking only behind Bradley's, the pollsters say.

And on balance he's popular. Philibosian campaign manager George Young found Reiner's large, early popularity lead over this political newcomer-client largely impermeable. "Negative information about Reiner was just not readily acceptable to voters," says Young, a veteran political consultant. "Reiner's pretty unique. I can't think of someone as controversial who still gets such a large positive response from voters."

Despite the controversy surrounding him, Reiner is a shy man whose personal life is kept very private. Jewish and a native Angeleno, Reiner is married to Superior Court Justice Diane Wayne. The couple live with their children — Ann, 9, and Tom, 7 — in a comfortable Hollywood Hills home overlooking the Sunset Strip. Reiner got his bachelor's degree from USC and his law degree from Southwestern University in 1964. After graduation he was a deputy in the Los Angeles city attorney's office for three years. In 1967 he set up a private law practice in Beverly Hills with his first wife, Pat, now deceased, as his partner.

As city attorney, Reiner has been imaginative and aggressive. His prosecutions of so-called "midnight dumpers" of toxic materials got him national recognition, including a *Rolling Stone* magazine story. His office broke new legal ground by persuading a judge to rule that all members of a street gang could be held criminally liable for their landscape-marring graffiti even if they aren't caught *in flagrante*, spray-paint cans in hand.

Reiner also threw the book at street prostitutes and prominent slumlords, including former San Diego City Councilman Mike Schaefer. And Reiner gave succor to a church-based, neighborhood group's effort to limit the number of liquor stores in south central Los Angeles. As one Los Angeles city councilman's aide put it: "Ira has a knack for attacking society's whipping boys. You can't go

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John Schwada covers Los Angeles City Hall for the Los Angeles Herald Examiner.

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wrong doing that."

Reiner's initiatives also got good press. Dealing with the media, especially TV and radio, Reiner has some natural assets, including patrician good looks, a distinctive shock of white hair and an authoritative-sounding baritone voice.

But Reiner has had problems, the biggest involving his handling of spying lawsuits against the Los Angeles Police Department. Reiner had to defend the LAPD against civil suits, filed by the American Civil Liberties Union. The ACLU claimed the LAPD's Public Disorder Intelligence Division (PDID), originally an anti-terrorist unit, had illegally gathered intelligence data on ACLU's clients, a medley of politically progressive groups and individuals.

As the lawsuits neared trial, *The Los Angeles Times* revealed a new series of horror stories (unrelated to those unfolding in the court case) about PDID's activities, including allegations that the unit's members were sharing files with a John Birch Society-affiliated group.

"Ira has a knack for attacking society's whipping boys. You can't go wrong doing that."

Amid such disclosures, Reiner recommended that PDID, whose existence had become an emotionally-charged litmus test of pro- and anti-police (convervative vs. liberal) sentiment in Los Angeles, be disbanded because it was infested with amoral "zealots." The next day, the city's Police Commission did just that.

Liberals, like attorney Mickey Kantor — a Reiner ally and a member of the politically heavyweight law firm of Manatt, Phelps, Rothenberg & Tunney — praised Reiner. In fact, Kantor claimed Reiner's stance steeled the commission's nerves as it set about the task of dissolving the PDID unit.

Others claimed Reiner deserved credit only for being a savvy opportunist. The Police Commission was headed in this direction anyway, and all Reiner did was jump on the bandwagon, the doubters said. Certainly by his remarks Reiner distanced himself from his PDID clients — laying to rest any question that his role as their attorney meant he condoned their activities.

As it turned out, Reiner distanced himself entirely from the PDID case. The PDID officers, joined by Police Chief Daryl Gates, charged that Reiner's "zealot" remarks jeopardized their case, and they sued to have Reiner disqualified from handling their defense. Reiner fought this move but lost — a judge ordering him to recuse himself. Due to the court order, the city had to hire an outside attorney (the blue-chip Gibson, Dunn & Crutcher law firm was picked) to take over the PDID officers' defense. As the private law firm's taxpayer-financed fees mounted (ultimately topping $2 million), Reiner's old reputation as the protector of city finances took a pasting.

Reiner was unrepentant, however. Asked if his controversial remarks were worth $2 million, Reiner replied in the affirmative. During the district attorney's race, Philibosian scored Reiner's conduct during the PDID affair as unprofessional "self-indulgence."

Reiner contended his "zealot" remarks were not improper because he was condemning PDID activities not at issue in the upcoming trial. Also, it was his duty to speak out against wrongdoers, even if they were city employees, he said. "I was not elected to stick my head in the sand," he added.

This line became familiar. In one case, Reiner reused it after writing a memo that criticized the employee-safety record at the city-owned Department of Water and Power. With DWP facing a long list of Cal-OSHA worker safety-violation charges, the utility's executives wondered: Shouldn't Reiner be defending, not damning, the department?

Calvin Hamilton imbroglio

Next came the Calvin Hamilton imbroglio. City planning director Hamilton was accused of using his office to promote a private, non-profit firm, called TRAICE, in which he had a financial stake. Initially it looked as if threatening to prosecute Hamilton (no formal, criminal charges have yet been brought against him) would be a political bonanza for Reiner, showing again that he was no mollycoddler of miscreant public officials.

But Superior Court Judge Ron George put backspin on the whole affair. Why? Because Hamilton had consulted Reiner's office about his ties to TRAICE just before they were disclosed by the news media. Thus, when Reiner sought to prosecute the planning chief for misuse of office, Hamilton cried foul. The judge agreed with Hamilton, ruling that Reiner's probe of Hamilton was tainted by Reiner's unethical use of evidence that had been gained through his attorney-client relationship with Hamilton.

Reiner scoffed at the ruling. George would have him winking at the wrongdoing of city officials, Reiner complained.

To some, the Hamilton, DWP and PDID episodes proved one thing: Reiner would not quietly defend city hall's legally-troubled denizens, like a traditional city attorney, if assailing was the more moral (or political) thing to do.

Reiner's campaign for district attorney had a harum-scarum quality about it. "Amorphous" was the word Schuyler Sprowles, a top Reiner aide, used to describe it. Reiner was a late entrant (having flirted for a while with the idea of running against Los Angeles Supervisor Deane Dana) and he had no money, no formal campaign organization and no big endorsements. Instead of a professional campaign director, Reiner relied primarily on a band of volunteer-friends — like attorneys Kantor, John Lovell, Bill Wardlaw, Stephen Meyers (of Jacoby & Meyers), Robert Thomson and Loren Rothschild — who mapped strategy and raised funds, performing collegially the functions of campaign director.

As for money, the Reiner campaign followed true to form — borrowing from banks and relying on a few large donors — for a hand-to-mouth existence. In the first few months of the campaign, Reiner borrowed almost $500,000, some of it from Los Angeles Councilman David Cunningham, some of it from banks, including First Bank of Los Angeles, which counts Democratic National Party head Charles Manatt as its chairman. Reiner also got money from the Wilshire State Bank, on whose board sits his mother-in-law, Mickey Wayne, as chairwoman emeritus. (Matriarch Wayne's other sons-in-law are Kern County Supervisor Gene Tackett and theater executive Daniel Chernow, a Governor Jerry Brown-appointee to the State Board of Education).

As for contributors, Reiner relied on very large ones. Among them: Mark Ross Weinberg, a 29-year-old Beverly Hills commodities broker who contributed $75,000 in cash to Reiner's campaign and also picked up the $24,000 expense tab for a Reiner fund-raiser; and Albert Gersten, a Beverly Hills contractor who wrote checks worth nearly $100,000 to Reiner's campaign.

Philibosian

At several press conferences, Philibosian tried to make an issue of Reiner's borrowings, propounding the theory

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that politicians are more obligated to someone they borrow from than to someone who gives them money outright. It sounded good, but Philibosian could never really link a smoking gun of favoritism to Reiner. Meanwhile, Reiner managed to turn his weak fund-raising abilities, a constant media topic, into a virtue of sorts. "Ira's just not very good at raising political money — he doesn't feel good asking for it," said Sprowles.

But Philibosian had too many handicaps, not the least of these being that Democrats would be going to the polls in greater numbers than Republicans on June 5th, thanks to the Democratic presidential primary. This left Philibosian, a Republican, largely unable to capitalize on some name-building strengths of his own, including the support of Deukmejian. Certainly the Philibosian-Deukmejian ties were there. In late 1982 Deukmejian lobbied the county supervisors to name Philibosian — his former right-hand aide in the Department of Justice — to fill the unexpired term of District Attorney John Van de Kamp, who was moving to the attorney general's office. But Philibosian held his Deukmejian card in check, his staff believing it could — if emphasized — backfire on him.

"Ira's just not very good at raising political money — he doesn't feel good asking for it."

In the final days of the campaign, Bradley did a TV ad for Reiner — the only strong show of support Reiner got from a major public official.

While the Democratic turnout on election day was lower than expected, it helped. Reiner got 52 percent of the vote, and he did uniformly well throughout the county, particularly so in Jewish areas, and his support in black areas was all but unanimous.

Whither Reiner? He has said he is good for two terms in the district attorney's office, and that may not be just political talk. Reiner is a family man, a "home-body," he once said. But while such considerations may circumscribe any statewide aspirations he may have for now, Reiner's greatest limitation is money. During the campaign, Reiner's associates may have virtually bragged about their candidate's poor ability to raise funds but shortly after the election they were vowing to make "broadening Ira's fund-raising base" a top priority.

One way to do that would be to build more solid bridges to the political organization run by Los Angeles Congressman Howard Berman and Henry Waxman on the city's west side. In 1980, when Berman was in the Assembly and attempting to wrest the speakership from incumbent Leo McCarthy, he was impressed by Reiner's popularity and asked for his help. Reiner agreed and signed a series of "hit piece" mailers aimed at McCarthy supporters in the Legislature.

In return, the Berman-Waxman group supported Reiner for city attorney in 1981 against Councilman Bob Ronka. According to one west-side political operative, there's rapport between Reiner and the Berman-Waxman crowd. "But Reiner's really not part of the group," he adds. "He's mostly just himself."

Growing antsy

Meanwhile, deputies in the district attorney's office have grown antsy waiting to find out what Reiner, whose campaign split the office into warring camps, has in store for them. Undoubtedly he will launch eye-grabbing, controversial prosecutions — that's his *modus operendi*. The speculation is that white-collar crime, such as toxic-waste pollution, consumer fraud, political corruption and organized crime, will be high on his agenda.

During the campaign, Reiner ran a series of provocative, if not demagogic, commercials. Their theme was that Reiner menaced the "power structure." The classic ad, produced by Mike Kay (U.S. Senators Alan Cranston and Bill Bradley of New Jersey have been his clients), showed a cigar-smoking man in a three-piece suit gulping Alka-Seltzer tablets to calm his churning stomach as he contemplated the prospect of Reiner becoming district attorney. When repeatedly asked to elaborate on what he would do in the district attorney's office to threaten the "power structure," Reiner echoed a classic line used frequently by former Governor Jerry Brown. "Past is prologue" was his evasive reply.

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A FOUR-PART REFORM FOR HEALTH-CARE PROGRAMS

By KEN CORY

Editor's note: In 1979 the Legislature asked the state controller to begin making audits of Medi-Cal, the massive program that finances health care for the poor. Since then, Controller Ken Cory has taken a special interest not only in Medi-Cal (which covers about 11 percent of the state's population) but in the health-care business as a whole. Now, five years and many audits later, he has come up with four recommendations for major changes to cut the costs of health care for all. His proposals appear toward the end of the following article, after he presents the background as he sees it.

What part of our economy breaks all the rules of the market place?

- when there's too much of it, prices go up;
- when there's too little of it, prices go up;
- when technology improves it, prices go up.

It's the health industry, of course. In the looking-glass world of health care, neither supply, demand nor technology means anything. Prices always go up. So far, the best efforts of labor, business and government have failed to halt the runaway inflation of health costs. Although various reforms have been tried over the years, and though the most recent here in California have improved the situation somewhat, much more must be done, for the dizzying costs of health care do not exist in a vacuum.

The flood of dollars going to doctors and hospitals means fewer dollars for everything else. In state government, for instance, the cost of Medi-Cal — the vast program that finances health care for the poor — has been spiraling upward over the years at about twice the rate of inflation, and this year is costing the state about $2 billion. Quite literally, doctors, hospitals and other health-care providers are taking millions of dollars annually that could otherwise be supporting our public schools.

Even in a recession, health care providers do just fine. The overall cost of living fell 1.2 percent between June 1982 and June 1983. But the medical component went up 7 percent.

Of course, the health industry has lots of excuses for its big bills. Some are even valid. The high costs of new equip-

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ment, higher wage rates, more older and disabled patients — these are some of the factors feeding inflation. But there are other factors as well, such as physician incomes averaging more than $100,000 a year, returns on nursing-home investments averaging 37 percent and record profits and growth for hospital chains.

But the most important factor in the rise of health-care costs is none of the above. Nor is it a mystery. Economists, many health-care providers, researchers, union leaders, journalists, business leaders, consumers, politicians — nearly everybody has been talking about it for decades. It is the health industry's pricing mechanism. It is the way we pay for health care, more than anything else, that is driving up costs.

We pay for "sick care," not health care. Under our system, if physicians kept us well, they would starve. We do not reward the health industry for successful disease prevention and health maintenance; nor have we, as consumers, been rewarded with lower prices for our improving health habits and better health status.

The fee-for-service payment method that prevails throughout most of the health industry encourages waste and fraud, and it must be replaced. By paying doctors and other health-care providers a fee for each service rendered, we encourage them to provide us with more and more services — whether we need them or not.

Moreover, fee-for-service defies control. When we, as purchasers of care, set limits on fees, we may gain a small, temporary reduction in costs. But physicians also control the utilization of services; they are the gatekeepers to medical care in our society. Thus they can manipulate patterns of care to boost costs despite our fee controls. They may bring patients back again and again, charging for an office visit each time. They may order expensive tests to confirm what they already know; or they may perform surgery to correct an ailment that would disappear by itself over time.

On this point, I have just finished reading an article by Joseph A. Califano Jr., a former secretary of Health, Education and Welfare who is now a director of the Chrysler Corporation. Among other things, he reports that a Chrysler investigation found that two-thirds of the admissions for lower-back pains in eight Detroit-area hospitals were inappropriate. In more than 60 percent of the cases, patients were subjected to expensive electromyograms, a procedure necessary only if surgery already has been clinically indicated. All results were normal.

Because of such practices we will not control health costs by controlling fees alone. An effective cost-control policy must also encourage use of the least expensive treatment that is medically appropriate. Health-care providers should be motivated to keep their patients well, out of institutions and as independent as possible, regardless of age. And the reimbursement system should reward providers when they are successful.

HMOs

The remedy for all this, of course, has become as familiar among reformers as the evils of the fee-for-service system. It is the pre-paid or capitated payment system. Under it, the consumer pays a fixed monthly or quarterly fee for a guaranteed list of services (medical care, hospitalization, drugs, X-rays, etc.). The consumer then receives whatever amount of service is needed to keep him or her well. And, let it be repeated, the consumer's fixed and pre-paid fee covers it all.

Obviously, this system encourages provider groups — often known as "health maintenance organizations" or HMOs — to be cautious about prescribing treatment, for their income remains the same every month whether the patient is hospitalized at a cost of several hundred dollars a day, is treated from the office as an out-patient or is not treated at all. In other words, the financial incentives encourage the organization to hold care down.

This is the major objection to the prepaid system; that is, that patients may not receive all the care they may need. But thanks to computer technology, underservice in HMOs is readily detected by inexpensive reporting systems.

To stay in business, HMO's must keep detailed records concerning patient treatment and cost. Comparing the records of each HMO against the standard set by others will quickly reveal questionable patterns of service. These can be easily verified by medical audit and investigation.

Also, in a recent study showing that HMO's deliver health care for 25 percent less cost than the fee-for-service system, researchers for the Rand Corporation said they would report later on the quality of HMO care. However, they pointed out that prepaid group practices have existed for decades and it seems unlikely that there can be large deleterious health effects that have gone unnoticed.

On balance, the danger of getting too little service in HMOs is less than the danger of getting too much — or the wrong kind — in the fee-for-service system.

Unfortunately, prepaid systems are growing too slowly to have much impact on overall health costs. Neither physicians nor hospitals are eager to change the way business is done today, and why should they? They sell essential services — for which there are no alternatives — at prices of their choice. And there are large organizations, such as corporate employers, trust funds, insurance companies and the like to collect the money and see that the provider is paid. What a deal!

Also, existing HMOs are under no great pressure to show dramatic reductions in cost. Just so long as their prepaid fees remain a notch or two below the spiraling rates in the

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fee-for-service sector, they can have all the customers they want. The Northern California section of the Kaiser Foundation Health Plan, one of the least expensive HMOs, raised its rates 12 to 18 percent this year, depending on the covered services, and there was no great fuss.

Determined to promote HMOs and bring some competition — however modest — into the health industry, the California Legislature overcame enormous opposition from doctors and hospitals in 1982 and enacted a two-part reform. The first part in effect allowed the vast Medi-Cal program to put its hospital business out to bid. The second allowed private insurance companies and other sponsors of group health plans to also offer their health-care business to the lowest bidder.

Competition

Competition among hospitals for the state's Medi-Cal business has reduced Medi-Cal costs about $200 million a year. However, this is not necessarily a reduction in the overall cost of health care. The hospital that bids low to get the state business may simply jack up its rates for private patients, thereby keeping its overall income the same.

The second part of the reform, allowing private insurers to put their business out to bid, was supposed to keep the hospitals honest. For if a hospital tried to jack up its private-patient rates, the private insurers — under the reform — could take their business elsewhere. (Prior to the reform, private insurers could not sell a health plan that specified which doctor, hospital or other provider their customers could use.)

However, the private sector reform has had no great impact so far. Blue Cross, California's largest private insurer, has taken the lead under the new law by signing up doctors and hospitals — known as "preferred providers" — who will treat Blue Cross patients at less than going rates. As a result, subscribers who join the new system

Response from the California Medical Association

By DAVID B. HORNER, M.D.

Warning: The California Medical Association advises that the state controller's "reform" of the health care system may be harmful to your health.

The theory of Controller Cory's proposed changes is that people would get more cost-effective health care if they were forced to enroll in prepaid health plans. This is so, he says, because physicians and hospitals would be driven by an economic incentive to deny "unneeded" health care to patients. This was a trendy idea 15 years ago but has little currency today among thinkers who genuinely desire to achieve an efficient health system to deliver quality services for the best possible price.

While HMOs represent a growing and utilitarian mode of delivering health-care services and meet the needs of many people, other forms of delivery which rely primarily on fee-for-service payment are best suited to fill the needs of a significant portion of the population. Dramatic changes in the health-care system are taking place today. These changes depend upon the infusion of massive doses of competition into the health-care marketplace and the introduction of numerous cost-saving incentives among competing delivery systems.

The latter include mechanisms such as having providers agree by contract to furnish services at discounted rates; placing providers "at risk" in a variety of ways, i.e., doctors and hospitals agreeing to provide defined benefits for a fixed price regardless of how much health care is required by the patient; targeting limited benefit packages to groups that are basically healthy; and increasing the availability of alternative, lower-cost health facilities such as surgi-centers and skilled-nursing homes.

Marketplace competition is providing inducements to reintroduce patients to the economics of their own health care. Patient participation resulting from economic incentives (such as discontinuing first-dollar coverage for most health plans in favor of increased (but still reasonable) co-payments and deductibles) is generating renewed interest in preventive health-and-wellness programs as an integral part of an individual's health strategy. The resulting cost-saving impact is beginning to be felt throughout the system.

While the controller alleges that "prepaid systems are growing too slowly to have much impact on overall health costs," all evidence is to the contrary, particularly in California which has more HMOs than any other state. Further, most knowledgeable people know that there has been increasing competition (including premium competition) between hospital-based HMOs, such as Kaiser, and the so-called independent-practice associations (IPAs) — or network-type of HMOs. These "networks" are being formed by privately practicing (and formerly fee-for-service) physicians at an increasing rate.

Fixing prices of HMOs to conform to Medi-Cal takes us down a path of certain financial disaster for all insurers and fiscal intermediaries which now participate in brokering health-care services. The purpose of the Medi-Cal program is to fund the health costs of needy recipients, and the rates established to achieve this purpose are set below the market price because doctors and hospitals are expected to serve this population on an at-cost, pro bono basis. The program does not meet its financial and moral obligation to pay its way, and broad benefits are possible under the program only because a substantial amount of its costs are shifted to and absorbed by private-paying patients. If prices for private patients were lowered to the Medi-Cal extreme, there would be the odd result of substantial cutbacks in service for all patients, whether Medi-Cal or private-paying, because total revenue would be drastically reduced.

The controller's "reforms" would turn back the clock and eliminate the changing forces now under way. The new system which he would create would effectively limit the health-care choices available to people to just two: join an HMO or pay for all health care on the basis of cash-on-the-barrelhead.

Is he serious, or is this a demagogic attempt to prey on public dissatisfaction with a system that is rapidly healing itself?

Dr. David B. Horner is president of the California Medical Association.

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pay lower premiums. But response has been sluggish, not only among doctors and hospitals but among Blue Cross customers as well.

Although the 1982 legislation sent shock waves through the industry, basic reform is hardly noticeable. Meanwhile, this year's legislation to put additional Medi-Cal business out to bid has been laid to rest. Also, the gains of two years ago could be eroded by legislation that would require "preferred providers" to offer unnecessary services that would drive up their costs.

In other words, the winds of change are not blowing hard enough to change the industry's commitment to the fee-for-service system. Some have suggested stimulating the growth of HMOs by imposing taxes or other penalties on consumers who do not join them. But this smacks of punishing the patients for the sins of the providers. Besides, most such proposals would disrupt existing collective bargaining agreements, with no guarantees that the health industry would respond with massive reorganization.

Reforms

The time has come for more direct action, and I believe my four proposals would bring about the necessary reform.

We should require, as a condition of licensure, that every health provider in California, whether individual or organization, receive all income from health services in one of two ways: as cash from the individual being served or as wages or other payment from an HMO.

Thus, any physician or other provider who is not employed by an HMO or is not part of an HMO would have to collect his or her fees directly from his or her patients. This would not eliminate insurance. But it would remove insurance companies and service plans such as Blue Shield from their current role as fiscal intermediaries in the fee-for-service systems. No longer would they profit by taking money from patients and paying it to providers, thereby insulating both sides from direct experience of spiraling costs.

Under this proposal, a patient would first pay all medical bills before being able to claim and receive insurance reimbursement. Or, more likely, doctors and other providers would have to wait for their money until patients had received their insurance payments and had relayed the money to them. But however the money were transferred, there would be a new element of uncertainty in the process which would encourage both sides to join an HMO.

Enactment of this reform not only would encourage doctors and others providers to form HMOs but would encourage insurance companies to form them as well. There would be considerable wailing, of course, but the management technology for prepaid plans is readily available and transition would be feasible, given a year or so of lead time.

There is not much danger that the health industry would revolt or leave. Where would the physicians go? Arizona? Nevada? They might strike, but that isn't all bad. The death rate in San Francisco dropped almost to zero during the physicians' malpractice strike of a few years ago.

We should require all HMOs to offer a range of benefits equal to those authorized by the Legislature for Medi-Cal and at a cost no higher than the per-capita cost of Medi-Cal. (Medi-Cal benefits include not only normal medical care and hospitalization but long-term care, rehabilitation and mental-health services and substantial dental coverage.)

By requiring that the broad benefits of Medi-Cal are offered by all HMOs, we would assure complete coverage for

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all enrollees and thus reduce the possibility that health expenses would impoverish anyone. Monthly capitation payments for such coverage might be higher than some employers are willing to pay, but the employee could make up the difference or it could be deducted from payroll. In any case, the payments would be as predictable as rent.

By limiting monthly capitation payments for all plans to the per-capita cost of Medi-Cal, I did not intend to create some permanent price-setting mechanism. While the following is not one of my formal recommendations, I believe that Medi-Cal should become a statewide HMO open to any citizen who cares to enroll. Thus, the Medi-Cal rates would be an upper limit for the industry. If private plans, in competition with each other, can provide services at lower rates, then poor persons who are now enrolled in Medi-Cal should be transferred to private plans of their choice and Medi-Cal should be abandoned as a government enterprise.

We should require that all HMOs accept all enrollees, at the same fixed price, regardless of age, sex or health condition.

This reform — known in the jargon of the health business as "community rating" — is essential to prevent any HMO from shifting higher-risk patients to somebody else, thereby boosting its profits at the expense of others. Currently, for instance, the health industry sharply increases rates for retirees or persons eligible for Medicare. This looks like an attempt to price retirees out of their health plans. Through community rating, we can stop this insidious practice.

Nothing in community rating would prevent an HMO from offering discounts to enrollees who don't smoke, get exercise, lose weight, wear seat belts or otherwise show good health habits. But community rating does prevent an HMO from punishing people for getting older, being born with handicaps or having accidents.

We should require every health-care provider who is furnishing services to more than one HMO to give the same price to each.

The aim of this proposal is to prevent providers from helping one HMO drive another out of business. Certain highly specialized services — such as cardiac catheterization or intensive care for infants — should be available on a fair basis to all qualified HMOs.

Stabilizing costs

And that's it. If these four recommendations were in place, I think we would see stabilization in the cost of health care, with the Legislature — through Medi-Cal — controlling annual increases. There would be another immediate advantage as well: Since prepaid health plans are far simpler to operate and audit, we would save millions of dollars at once through the elimination of fee-for-service claims processing.

I realize that these proposals fall far short of the complete overhaul of health care that many would like to see. And I realize that health-care providers will scream. But we are all in this boat together, and the boat is leaking. I believe that normal market forces can improve health care for all. But genuine competition takes place only when customers can make comparisons. Minimum benefits and standardized pricing would make the differences between systems conspicuous and give us competition without government coercion.

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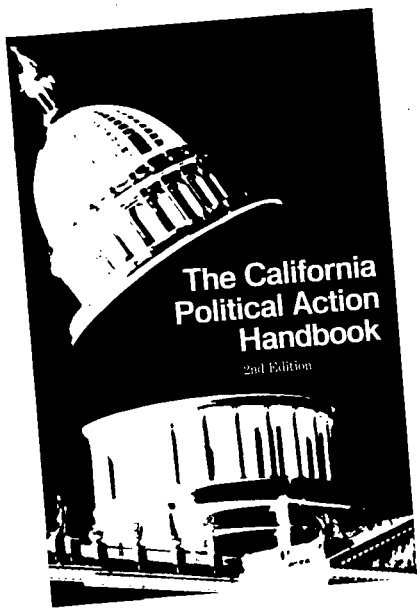

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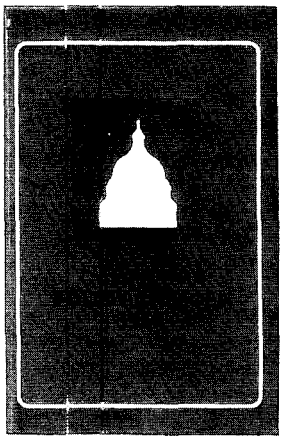
BOOK REVIEW: CALIFORNIA POLICY CHOICES, 1984

Text-bookish work offers some insights

By DOUG WILLIS



The high technology industries that California and other states are fighting to get may bring mixed blessings on the communities that get them, a University of California professor writes in a recent book. According to Michael Teitz, a specialist in city and regional planning, the industries are attractive for the obvious reasons: They are growing and they are environmentally clean.

But they bring problems, such as their high-paying management and research jobs and their low-paying manufacturing jobs, even lower than the average in many other industries. The large number of upper-income jobs, he warns, drives up housing prices for all workers.

The Teitz analysis is one of 10 chapters in a new book edited by USC professors John Kirlin and Donald Winkler, "California Policy Choices, 1984." (University of Southern California, Office of External Programs, P.O. Box 77538, Los Angeles, CA 90007, $12.95 plus tax and $2 shipping.) The book is the inaugural volume for an annual series designed to help government leaders and citizens understand problems facing the state.

Although the book contains some astute insights on fiscal and economic issues, it also covers so much ground that it cannot go into any single subject in enough depth to interest policy makers. It looks and reads like a college textbook, and probably will serve well as such. (In all, it covers the state's economy, fiscal policies, block grants, political finance, water, prisons, public pensions and school finance.)

Even as a textbook, however, this book is an odd mix. Some chapters are nothing more than elementary descriptions of state government today. Some provide interesting insight, such as the chapter by Teitz. Other chapters are written in such a turgid style that they are unlikely to be read all the way through by anyone, and are accompanied by tables that are even murkier than the text.

A chapter by Kirlin titled "The Fiscal Context of California's Policy Choices" contains a useful chronology of changes in California tax law over the past 15 years. But there is little attempt in this section to analyze or point to solutions or changes.

A chapter on education is one of the few to advocate a specific change, asserting that vouchers are "the option which would best improve the efficiency and equity of elementary and secondary school systems in California." Vouchers in effect take the money that the state spends now to support public schools and gives it to whichever public or private schools parents select for their children.

But except to rebut specific criticisms of an earlier voucher experiment and quote an opinion poll saying the public favors a voucher system, this 38-page chapter never bothers to tell why vouchers are desirable.

The book also contains a repetitious structure that is common in textbooks and government reports, but is taken to a ridiculous extreme here. A five-page table of contents outlines the 10 chapters that follow. Next, a 36-page preface tells you in a more detailed outline form what each chapter will tell you. Next comes an introductory chapter by the editors, and finally the body of the book. As if that wasn't enough repetition, eight of the 10 chapters conclude with a summary of what they just told you.

Doug Willis is a veteran California political reporter and a frequent contributor to the Journal.

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(A summary of events during the preceding 30 days.)

COMMUNITY COLLEGE CHIEF QUITS

(September 12th): Gerald Hayward announced his resignation from the $74,500 position as California Community College chancellor, effective in July 1985. Hayward, 46, has headed the 106-campus system, with its 1.2 million students, since 1980, guiding it through difficult financial times caused by the tax-cutting Proposition 13 of 1978 and through the imposition of first-ever student fees in 1984.

JARVIS LOSES CORPORATE NAME

(September 18th): A West Sacramento attorney — Robert McDermand III — paid a $7 filing fee to the secretary of state and took possession of "California Tax Reduction Movement" — a corporate name previously owned by Howard Jarvis and associated with his tax-revolt campaigns. The state had suspended CTRM in August 1982 for failing to pay $425.86 in overdue taxes. McDermand took advantage of a law that allows anyone to acquire the name of a suspended company. He immediately warned Jarvis not to use the name, but Jarvis said he would ignore the warning.

PAPAN ORDERS, GOVERNOR STAYS EVICTION FROM CAPITOL

(September 20th): Governor Deukmejian came to the rescue of Benjamin Harrison Toney, a shoeshine man who had been ordered to remove his stand from the Capitol by October 1st. The eviction order came from Democratic Assemblyman Louis Papan of Millbrae, chairman of the Legislature's Joint Rules Committee, which shares administration of the Capitol building with the Department of General Services. But the governor's office said that it and not the committee ruled the first floor, where Toney's stand is situated. The 64-year-old Toney, who is partially disabled, has plied his trade just inside the Capitol's south entrance for the past nine years. According to a committee spokesperson, Papan wanted the stand removed as part of a program to "upgrade the Capitol."

ANOTHER DIRECTOR FOR OEO

(September 21st): Governor Deukmejian appointed Robert Martinez director of the troubled state Office of Economic Opportunity. Martinez succeeds Chon Gutierrez, OEO's interim director since March. The agency has been under fire since last spring when then-Director Gilbert Montano resigned amid allegations of political cronyism and mismanagement, and Deputy Director Herbert Clayton was arrested on charges of embezzling anti-poverty funds. Martinez, 37, served as assistant secretary of the State Personnel Board from 1977 to 1983.

FEMINIST GOP OFFICIAL QUITS

(September 25th): Mary Stanley, a 20-year GOP activist, resigned from the state Republican Central Committee because of the party's position on women's issues. State party chairman Ed Reinecke had previously requested her resignation when Stanley, also a member of the National Organization for Women, endorsed Democratic vice-presidential candidate Geraldine Ferraro. Stanley said she would not change her registration to Democrat, however.

NEW RULES ON ABORTION

(September 26th): The Deukmejian administration announced a new series of abortion rules meant to ensure that no family planning funds pay for abortions or abortion-related services. The regulations, explained by Health Services Director Peter Rank, prevent agencies like the Los Angeles Regional Family Planning Council from funding such things as post-abortion examinations. Rank also announced a new "informed consent" regulation to assure that women know all the implications of the abortion procedure.

NEW SCHOOL STANDARDS

(September 27th): State Superintendent of Schools Bill Honig announced "accountability" targets for California schools at a School Boards Association conference in Sacramento. Among the goals outlined by Honig were higher statewide SAT scores, increased enrollment in high school advanced-placement classes, lower drop-out rates and tougher curricula. The first performance reports will be made public this fall and will describe how each school compares with the statewide average.

HEDGECOCK PLEADS INNOCENT

(September 28th): San Diego Mayor Roger Hedgecock pleaded innocent to 15 counts of conspiracy and perjury in connection with alleged illegal contributions to this 1983 mayoral campaign. On September 19th a San Diego County Grand Jury had indicted Hedgecock and three political backers — J. David Dominelli, Dominelli associate Nancy Hoover and Hedgecock aide Tom Shepard. The charges stemmed from an investigation into the collapse of Dominelli's financial empire and the disappearance of over $100 million in investors' funds. The 38-year-old mayor faces a tough reelection this month against businessman Richard Carlson (see "San Diego's mayoral race," *CJ*, September 1984).

GOVERNOR SETS VETO RECORD

(September 30th): Governor George Deukmejian completed his review of the Legislature's work by vetoing a record 306 bills while signing into law another 1507. The governor said he was forced to veto many bills he might otherwise have signed because they were packaged with objectionable bills so that one could not be enacted without the other. Dozens of others were vetoed because Deukmejian sought to preserve a $950 million general-fund surplus (see Roll Call, page 453). Among the vetoed bills were two controversial measures that would have gone into effect if voters approve Assemblyman Ross Johnson's campaign-contribution initiative — Proposition 40. Both would have weakened the effort to pass it.

CAL-OSHA OFFICIAL QUITS

(October 5th): Charles Powell, deputy chief for health at Cal-OSHA, resigned following allegations that he had used state time and personnel to assist his outside position as president of the American Industrial Hygiene Association. There were also reports that his department — which oversees the health of workers on the job — is hopelessly behind in reviewing more than 20,000 reports on the chemical makeup of products and may be forced to hire an outside firm to help with the reviews.

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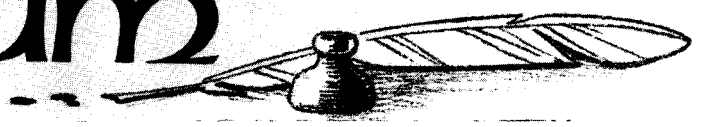

Democrats

Your article, "Double Trouble for Democrats" (*CJ*, September 1984), explains only some of the problems facing the Democratic Party in California. But as your article points out, the cause centers on the Democratic-controlled Legislature. As one of those Democrats who has worked intensively to organize California Democrats (beginning in 1948), I find it difficult, if not impossible, to support our present Democratic Legislature.

Beginning in 1948, the grass-roots backbone of the party was the returning veteran, the small businessman and workers in the private sector. For example, the Santa Rosa Young Democratic Club was 90 percent Disabled American Veterans. The leading thrust came from the labor unions, and the philosophies that motivated us were creativity, opportunity, respect for family and country, reward for honest effort and an economic and social situation that allowed those less-fortunate to climb up the economic and social ladder.

It was during this period, under the direction of a Democratic administration headed by Governor Pat Brown (and with a part-time Legislature), that we in California built a comprehensive state water system, an efficient highway system, started a state university system, developed a pre-eminence in agriculture and attained self-sufficiency in energy. Our overall education system was the best, and the capacity for those at the bottom to work their way to the top was unlimited.

Today, the dominant and controlling force in the California Democratic Party is a coalition of the public-employee unions, environmental elitists and no-growth advocates. Retiring Democratic Senator Paul Tsongas of Massachusetts stated the problem succintly: "Democrats set out with the wrong assumptions which are anti-business, anti-growth, and an insensitivity to economic development."

This is especially true of most of our Democratic legislators. Instead of seeking maximum energy development and energy self-sufficiency, they sponsor moratorium legislation that destroys jobs and enact unreasonable regulations that prevent job-creation. In the past year the forced importation of $52 billion worth of oil destroyed or prevented 1.6 million jobs. In the first quarter of this year, our trade deficit of $19.4 billion cost 640,000 American jobs.

Another crisis facing this state is water. Yet, most Democrats find themselves on the wrong side of the issue even though many of them represent areas where the situation is critical. They obstruct, but offer no constructive solutions.

PAUL GOLIS
Executive Director
The Constituency for Public Awareness
Camarillo

"Deep Pockets"

The recent decision of the California Supreme Court, holding that San Francisco's community colleges could be sued for an alleged rape attempt on campus, demonstrates the extremes to which this Court will go to contort logic to justify its self-defined role as champion of the underdog. In that case, the Court held that the victim of the alleged attack should have a day in court because an "improperly trimmed" shrub may have contributed to the alleged rape attempt. Thus, a trial should be held to determine if the victim is entitled to damages from the college. The attacker was never caught; no attack proved.

Based on this decision, claims of attacks of every description may proliferate, with the claimants relying on the "deep pocket" doctrine honed to such a fine level by this same Court. Under that doctrine and the joint-and-several liability doctrine, if a jury awards damages in a case where an indigent is 99 percent liable and a city one percent liable, the city pays everything since no recovery can be made from the other defendant.

This decision also ordains that every shrub, tree, or even building large enough to conceal a human may now be a potential source of liability for the owner. It boggles the mind to contemplate the consequences of this ill-advised decision. Agencies will be forced to pour scarce resources into more insurance premiums or great legal fees, or both. The implications and foreseeable consequences of this decision are obvious and manifestly unfair.

MARIO TILARO
El Cajon

Achievement testing

Michael Fallon's article on state-wide school achievement tests ("Achievement testing in public schools," *CJ*, August 1984) has a glaring distortion. He says that only one percent of the total students in the 12th grade fail state-required local proficiency tests. This statistic gives a very cloudy picture of the true situation. My own school (Hollywood High School) is fairly typical. We have 1000 sophomores, 1000 juniors and a group of graduates numbering about 475. So by the time the last proficiency test is given, close to graduation, the hundreds of drop-outs have vanished and are not counted as failures. The story picks up the statistics but fails to put them in perspective. The reality is that with a high drop-out rate in urban schools, we do not deserve great applause right now.

HARRY R. MAJOR
Los Angeles

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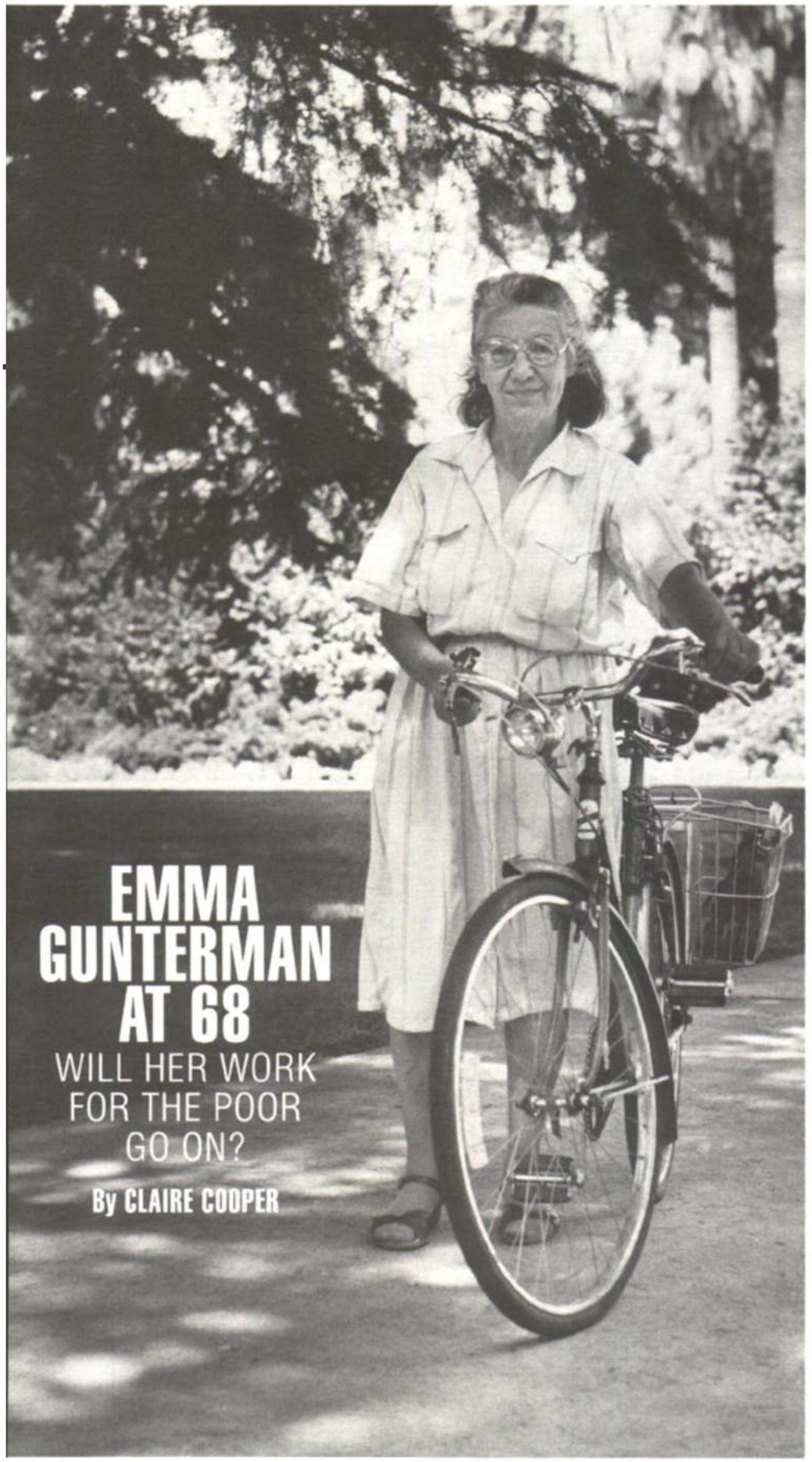

EMMA GUNTERMAN AT 68

WILL HER WORK FOR THE POOR GO ON?

By CLAIRE COOPER

Emma Gunterman is wondering if she'll have to give up. After 17 years at the Capitol, lobbying for the poor, she doesn't know whether she can overcome the obstacles any longer. It's not just a matter of age. Although 68, she's as zealous now as when — more than 40 years ago — she was organizing rallies for Socialist Norman Thomas and fighting the drift toward a second world war. Also, she's as energetic as many persons half her age. (She still bikes a mile to work every day and another mile back home.)

No, it is more a matter of political change that threatens to push her aside. Over the past several years, the "War on Poverty" has been reduced to little more than a skirmish, and many of its soldiers have faded away. But others like Gunterman slog on, convinced that with Ronald Reagan in the White House and George Deukmejian in the governor's office, California's poor need more help than ever. Her story is typical among those who continue the fight.

Previously, Gunterman and others like her were funded from a variety of sources, including civic-minded liberals, private foundations and, of course, government agencies. But under Reagan, the federal government has been cutting back. For instance, the president's budget has been omitting money for the community-service grants that finance the state Office of Economic Opportunity, which in turn financed such programs as shelters for battered women, legal aid for the poor and meals-on-wheels for the elderly. Congress eventually funded the grants but at lower levels than in previous years.

As a result, many of those who received federal funds are turning to corporations and foundations for aid, and competition for grants has become fierce. Environmentalists and those who support international causes believe that they are deserving, too.

Gunterman knows the consequences of this shrinking federal largess all-too-well. Having been employed by the California Rural Legal Assistance (a federally-funded legal-aid agency), she voluntarily "retired" in 1982 when President Reagan's first round of fund reductions hit and CRLA was forced to cut back. However, she kept doing the same work and raised some money privately for office help, phone service, paper clips and other necessities of lobbying life. (Her fund-raising vehicle was the CRLA Foundation, an organization set

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Claire Cooper is a reporter for The Sacramento Bee.

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up by the CRLA to receive outside funds. See "CRLA," *CJ* December 1983.)

Gunterman's money-raising efforts culminated about a year ago when she sent a fund appeal to all those at the Capitol with whom she had worked over the years — including legislators, reporters and other lobbyists — warning that without $3000 fast, she would go out of business. She also began asking subscription fees for the fact-sheets and newsletters she had been sending gratis to senior-citizen groups and others. (Gunterman specializes in helping the elderly poor.) Without her reports, many of the elderly would not know of changes in welfare law and other statutes affecting them.

In all, during the past year she has raised about $10,000, enough to keep her in paper clips and to pay herself a salary of $575 a month. But she has made a discovery. She says she can continue lobbying or she can continue raising money, but she cannot do both. (Lobbying means not only buttonholing lawmakers in Capitol corridors and putting out a newsletter. It also means working with local groups to generate phone calls and letters to legislators to produce witnesses for committee hearings and to otherwise keep the Legislature abreast — on a bill-by-bill basis — of what these constituents want.) "I would like to continue what I'm doing," she says, "but I don't know how."

So Gunterman is putting herself on the job market, looking for a new niche from which to work for the poor. Her chances of finding it would not be great if she were anyone other than Emma Gunterman.

A native of Holland

A runner on the piano in Gunterman's home reads: "Vote for Women." It could have been embroidered yesterday. Actually it refers to the women's suffrage movement of a half century ago in Holland, where Gunterman's father had it made for her mother — "as a joke," Gunterman recalls.

Born in Amsterdam, Gunterman had finished high school there when her father died and her American-born mother took Gunterman, a sister and a brother to the United States. As the daughter of a Smith College graduate, Gunterman was admitted to Smith on a scholarship and graduated in 1936 with a degree in Greek. Having grown up wanting to be a teacher, she began at once at a high school in New York City.

But she was also a pacifist, and these were the years in which World War II was taking shape in Europe. Abandoning her teaching career, she joined the anti-war movement and eventually was asked to work for it in Los Angeles. While there, and while organizing a rally for the best-known Socialist of those days, Norman Thomas, Gunterman met a young man from Santa Barbara who was to become her husband.

Like Emma, Joe Gunterman was a pacifist and socialist, and he became a conscientious objector during World War II, serving in camps in Michigan, Oregon and California. Emma followed her husband, supporting herself and their first child, born in 1943, as a hospital and domestic worker. Later, there would be three more children.

After the war, the couple moved to Gridley in Butte County where Joe milked cows and built their home and Emma made hand puppets for sale to the local schools. But with all of that, and with four young children at home, she still found time to start a summer school at a nearby farm-labor camp, using volunteer teachers from the public schools and teaching assistants from Chico State College.

Eventually the school became a day care center for older and young children and provided breakfast as well (prepared at home by Gunterman). Meanwhile, she strove to put the school on a more solid financial base, largely by securing money from local government. But there were obstacles, and Gunterman realized that she needed changes in state law as well as money from the state. And she got it, with aid from the local Junior League, a retired missionary, a Republican school superintendent and both faculty and students from Chico State.

During those same years Joe Gunterman, in addition to many other activities, had become a lobbyist for the Friends Committee on Legislation (Quakers) and also had learned his way around the Capitol. In 1967, the committee asked him to become its full time Capitol representative. He and Emma decided that he should take the job and the Guntermans moved to Sacramento.

With Joe lobbying for the Friends (he retired nine years ago), Emma became the Capitol's first consumer lobbyist, representing — for $25 a week — the Association for California Consumers. "There are two ways that people are poor," she explains. "One is that they don't get enough money. The second is what they are charged. Shyster practices can take from people's pockets more than we can put back in (through welfare)."

Although the governor then was Ronald Reagan, that was still the heyday of liberal activism but one in which the courts and not the Legislature were viewed as the appropriate forum for establishing the rights of poor persons in their dealings with landlords, money lenders and others who controlled their lives in important ways. But as courts expanded the rights of the poor, landlords and others fought back in the Legislature, seeking changes in the underlying laws.

As a result, a group of neighborhood and county legal services for the poor decided that they needed a person at the Capitol to watch legislation, and they hired Gunterman for the job. That work led her to the CRLA, which hired her in 1972 as its full-time lobbyist for the elderly poor.

Widely respected

Over the years, Gunterman has become one of the most widely respected lobbyists at the Capitol. A state senator named Deukmejian once carried one of her pension-protection bills; Senate veteran Nicholas Petris, a Democrat from Oakland and one of the more prominent liberals in the upper house, says Gunterman is "the best informed on issues relating to the poor of anybody."

Among other things, she has helped pass legislation that raised the level of income that the working poor, aged and disabled could earn and still qualify for health care under the state's Medi-Cal program; she helped broaden eligibility standards for the in-home supportive services that elderly persons need if they are to stay out of nursing homes; and she has helped change Medi-Cal rules that required many elderly persons to sell off all their property, including their homes, before they could qualify for care.

Gunterman says she began work on the latter change after learning of a woman in a nursing home who was being told to sell her home even though her 76-year-old son was living in it. In other cases, she says, elderly persons in nursing homes were told to sell despite plans to return home themselves.

But there have been failures as well. Gunterman says that she's not been able to get laws enacted to crack down on some of the sharp selling practices associated with hearing aids, or to get tougher penalties for nursing homes that constantly break state regulations regarding levels of care. Even though she may have to quit the field, those battles must still be fought.

"It's a shame not to do it if it can be done," she says. "The anxiety is, there's nobody to take over."

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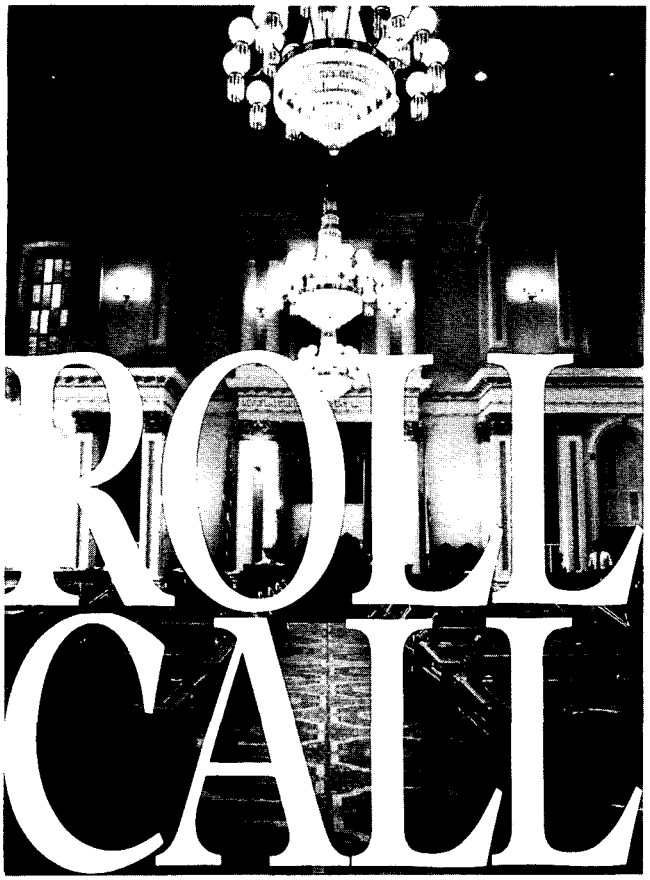

A defeated bill often has more votes in favor than against. This occurs because all bills, on the floor and in committee, need at least an absolute majority to pass. Thus, a bill may receive a 40-28 vote in the 80-member Assembly yet be defeated because it failed to get the 41-vote majority. Urgency, appropriation and tax measures require a two-thirds majority on the floor, as do proposed Constitutional amendments and veto overrides. (54 votes in the Assembly; 27 in the Senate.)

ASSEMBLY

HAZARDOUS WASTE

SB 1926 (Carpenter). Enacts requirements for the incineration of those toxic wastes that contain volatile organics. Supporters contend such wastes must be incinerated to prevent environmental and health damage. Opponents say the bill's requirements are not strong enough and include too many exemptions. Passed August 31st, 65-9.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Campbell, Chacon, Condit, Costa, Davis, Elder, Farr, Goggin, Harris, Hauser, Hayden, Hughes, Isenberg, Johnson, Katz, Killea, Klehs, McAlister, Molina, Moore, Moorhead, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Norman Waters, Young.

REPUBLICANS FOR: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Filante, Frazee, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Sebastiani, Statham, Wright, Wyman.

REPUBLICANS AGAINST: Lewis, Stirling.

DEMOCRATS AGAINST: Clute, Connelly, Cortese, Hannigan, O'Connell, Papan, Maxine Waters.

CAMPAIGN CONTRIBUTIONS

AB 311 (Connelly). Applies Proposition 40's campaign-contribution limits to candidates for local office (see analysis, *CJ*, October 1984). Proponents said this bill made Proposition 40 more effective. Opponents objected to linking this bill to voter approval of Proposition 40. Passed August 31st, 42-34.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Molina, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: McAlister, Norman Waters, Young.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Sebastiani, Statham, Stirling, Wright, Wyman.

AUTOPSIES

SB 1824 (Rosenthal). Grants Hasidic Jews the right to object to an autopsy of a deceased family member. Sponsors say current autopsy requirements violate the religious beliefs of Hasidic Jews. Opponents contend these autopsies may sometimes be justified. Passed August 16th, 46-25.

DEMOCRATS FOR: Agnos, Alatorre, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Condit, Connelly, Cortese, Costa, Davis, Floyd, Hannigan, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, Moorhead, O'Connell, Papan, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Young.

REPUBLICANS FOR: Filante, La Follette, Lancaster, Lewis, Mojonnier, Mountjoy, Nolan, Sebastiani, Statham, Stirling.

DEMOCRATS AGAINST: Areias, Clute, Elder, Goggin, Harris, Hauser, Robinson, Norman Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Frizzelle, Johnson, Jones, Kelley, Konnyu, Leonard, McClintock, Rogers, Seastrand, Wright.

PRODUCT LIABILITY

SB 2314 (Petris). Requires companies which discover dangerous defects in their products to take remedial actions. Supporters believe corporate officials should be held liable for damages if defective products cause injury or death. Opponents object to liability on business executives and corporate officials. Passed August 28th, 43-29.

DEMOCRATS FOR: Agnos, Alatorre, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Connelly, Cortese, Davis, Elder, Farr, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, Moorhead, O'Connell, Papan, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Young.

REPUBLICANS FOR: Filante, Sebastiani, Statham, Stirling.

DEMOCRATS AGAINST: Costa, Robinson, Norman Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Wright, Wyman.

RAW MILK

SB 565 (Campbell). Eliminates county milk commissions and creates a state milk commission to regulate the testing and sale of milk and raw milk products. Proponents contend bill is needed to insure the unbiased regulation of raw milk. Opponents say bill eliminates guarantees that contaminated milk will not be sold. Passed August 28th, 43-32.

DEMOCRATS FOR: Alatorre, Bane, Willie Brown, Clute, Cortese, Costa, Elder, Floyd, Hughes, Moore, Papan, Peace, Robinson, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters, Young.

REPUBLICANS FOR: Allen, Bader, Baker, Bradley, Dennis Brown, Felando, Frazee, Frizelle, Herger, Hill, Johnson, Kel-

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ley, Konnyu, La Follette, Lancaster, Leonard, Lewis, Mountjoy, Naylor, Nolan, Rogers, Sebastiani, Wright, Wyman.
DEMOCRATS AGAINST: Agnos, Areias, Bates, Bronzan, Calderon, Campbell, Chacon, Connelly, Davis, Farr, Goggin, Hannigan, Harris, Hauser, Hayden, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moorhead, O'Connell, Sher.
REPUBLICANS AGAINST: Bergeson, Filante, Jones, McClintock, Statham, Stirling.

NUCLEAR EDUCATION

AB 3838 (Vasconcellos). Requires Department of Education to study the feasibility of developing courses on nuclear war and its effects. Supporters say that the threat of nuclear war should be discussed in schools. Critics object to mandating such courses or programs. Passed August 27th, 41-32.
DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, Moorhead, O'Connell, Papan, Roos, Sher, Tanner, Tucker, Maxine Waters, Norman Waters, Young.
REPUBLICANS FOR: None.
DEMOCRATS AGAINST: McAlister, Robinson.
REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, Dennis Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Nolan, Rogers, Sebastiani, Statham, Stirling, Wright, Wyman.

SENATE

HAZARDOUS WASTE

AB 4038 (Maxine Waters). Increases penalties for illegally disposing of or transporting hazardous waste. Proponents cite the need to impose stronger penalties for violators. Opponents do not agree that violators should be imprisoned. Defeated Aguust 27th, 17-22.
DEMOCRATS FOR: Ayala, Carpenter, Dills, Garamendi, Bill Greene, Leroy Greene, Hart, Lockyer, McCorquodale, Petris, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Marks.
DEMOCRATS AGAINST: Alquist, Boatwright, Deddeh, Foran, Keene, Montoya, Presley, Robbins.
REPUBLICANS AGAINST: Beverly, Campbell, Craven, Davis, Doolittle, Ellis, Johnson (Ind.), Maddy, Nielsen, Richardson, Royce, Russell, Seymour, Speraw.

EMPLOYERS

AB 2452 (Maxine Waters). Makes it a misdemeanor for an employer to retaliate against an employee who discloses information about violations of law to a government or law-enforcement agency. Sponsors say that employees who report violations need legal protection. Employers argue that the bill may encourage false or frivolous reports of violations. Passed August 17th, 22-8.
DEMOCRATS FOR: Alquist, Boatwright, Carpenter, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Roberti, Rosenthal, Torres, Watson.
REPUBLICANS FOR: Johnson (Ind.), Marks, Russell.
DEMOCRATS AGAINST: Ayala, Presley, Vuich.
REPUBLICANS AGAINST: Davis, Doolittle, Ellis, Seymour, Speraw.

JOBLESS BENEFITS

AB 2540 (McAlister). Enables an employee who quits work voluntarily in order that a less-senior employee may keep his/her job to collect unemployment benefits. Supporters say bill incorporates current EDD administrative regulations. Opponents disagree that benefits should be paid under such circumstances. Passed August 16th, 22-8.
DEMOCRATS FOR: Alquist, Ayala, Carpenter, Deddeh, Foran, Bill Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Marks.
DEMOCRATS AGAINST: None.
REPUBLICANS AGAINST: Davis, ,Doolittle, Johnson (Ind.), Nielsen, Royce, Russell, Seymour, Speraw.

PHYSICIAN LIABILITY

AB 2900 (McAlister). Provides immunity from monetary damages for psychiatrists and psychologists who fail to warn of a patient's threatened violent behavior. Purpose of bill is to modify case law to limit a mental-health professional's liability. Critics do not agree with limits. Passed August 17th, 21-10.
DEMOCRATS FOR: Alquist, Boatwright, Carpenter, Dills, Foran, Garamendi, Leroy Greene, Lockyer, McCorquodale, Mello, Montoya, Petris, Rosenthal, Stiern, Vuich, Watson.
REPUBLICANS FOR: Beverly, Davis, Johnson (Ind.), Marks, Russell.
DEMOCRATS AGAINST: Ayala, Bill Greene, Presley, Roberti.
REPUBLICANS AGAINST: Doolittle, Ellis, Richardson, Royce, Seymour, Speraw.

COMMUNITY PROPERTY

AB 3000 (Harris). Requires the court to order reimbursement for a husband or wife's contribution to a spouse's education or training. Bill addresses marriages that are dissolved after substantial expenditures for education or training have been made for the benefit of one spouse. Opponents contend that education acquired during marriage is not community property. Passed August 16th, 25-9.
DEMOCRATS FOR: Alquist, Boatwright, Carpenter, Dills, Foran, Bill Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Presley, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Beverly, Craven, Doolittle, Maddy, Marks, Royce, Russell, Seymour.
DEMOCRATS AGAINST: Ayala, Deddeh, Garamendi, Leroy Greene, Montoya, Roberti.
REPUBLICANS AGAINST: Davis, Ellis, Speraw.

Governor Deukmejian's veto record

Democratic bills vetoed	266
Republican bills vetoed	40
Senate bills vetoed	124
Assembly bills vetoed	182
Total vetoes	**306**

(Most by any governor in a single year in modern times)

Legislators with most bills vetoed:

Assemblyman Richard Floyd, D-Lawndale	16 bills
Senator Diane Watson, D-Los Angeles	12 bills
Assemblyman Tom Bates, D-Oakland	11 bills
Assemblyman Sam Farr, D-Carmel	10 bills
Assemblyman Lou Papan, D-Millbrae	9 bills

Republicans with most bills vetoed:

Senator Milton Marks, R-San Francisco	6 bills
Senator Ken Maddy, R-Fresno	5 bills
Senator William Campbell, R-Hacienda Heights	4 bills
Assemblyman William Filante, R-Greenbrae	3 bills
Assemblyman Larry Stirling, R-San Diego	3 bills

Most-vetoed items

Percentages reflect amount of total vetoes

1.	Social (welfare, pensions, disability, Medi-Cal)	56 bills (18%)
2.	Schools	44 (14.3%)
3.	Environment and energy	32 (10.4%)
4.	Medical (includes doctors, hospitals, nursing homes)	23 (7.5%)
5.	Taxes (including tax breaks)	21 (6.8%)
6.	Labor relations	21 (6.8%)
7.	Government operations	18 (5.8%)
8.	Legal (crime, courts)	18 (5.8%)
9.	Politics/elections	14 (4.5%)
10.	Housing	11 (3.5%)

Chart: San Francisco Examiner

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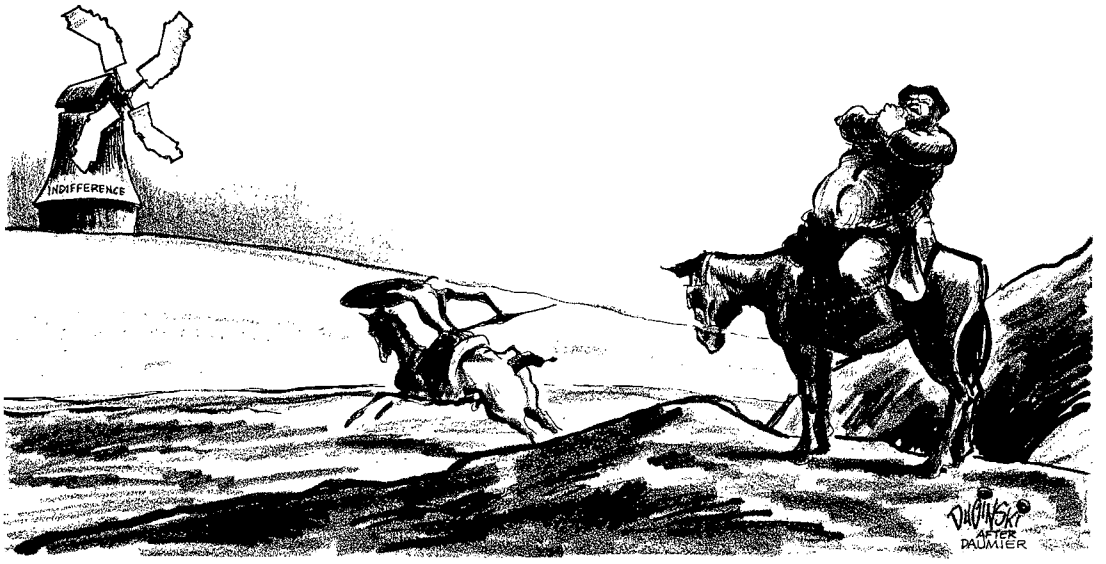
New management, new ideas; same old public indifference



By HERB MICHELSON

For the astute politician, there are two futures. First, there is the future of the next election or next office. Every waking, compromising, fund-raising moment is devoted to *that* future. Then, there are the issues of the future. Politicians usually address these by putting off today what should have been done yesterday in the interests of a better tomorrow. In other words, they face the future by turning their backs on it.

But in 1962 a new organization wished to face the future by the extraordinary posture of actually facing it. Named "California Tomorrow," it introduced itself in a report called "California Going, Going. . ." and sought nothing more, nothing less than a "systematic plan" for California's tomorrow.

A decade of tomorrows passed, and the 1972 *California Tomorrow Plan* complained, "Our traditional way of coping with problems has been to attack them separately, with little consideration of the relationships between one problem and another . . . Policy should be directed at underlying causes instead of symptoms . . ." There was discussion of water, housing, transportation. There was an emphasis on the environment. There were a lot of words.

Another decade of tomorrows passed. And California Tomorrow published more words in 1982: *California 2000: The Next Frontier*. The '72 plan had, noted the '82 writers, "been honored more in the breach than in the observance. Nevertheless, it has had its impact." And in terms of public concern for the environment, they were correct. But once again, the report added that "problems to be faced will require even greater efforts . . . California is at a frontier. We hope to prove again the necessity of taking hold of our destiny — humbly, humanely, but firmly."

One year later, California Tomorrow took hold of its own destiny, humbly. It went out of business. In 1984 a new, leaner version appeared, but as its president, Lewis H. Butler, admits, "Right now, we're only words."

Tomorrow, with shades of yesterday.

Butler

At 57, Lewis H. Butler has been around. His yesterdays are impressive: MIT, Princeton, Stanford Law. Member of five foundations. A Peace Corps executive for John Kennedy and Lyndon Johnson. A HUD assistant secretary under Richard Nixon. A friend, law partner, best man for Pete McCloskey. Presently, adjunct professor of health policy and associate director of the Institute for Health Policy Studies at UC, San Francisco.

The McCloskey connection is what brought Butler together, three years ago, with Bruce K. Kelley, then in his mid-20s — a Princeton grad with brief experience on newspapers in New York and California. Kelley was a jack-of-all-trades in McCloskey's Senate campaign — an expensive, losing effort to Pete Wilson in the 1982 GOP primary. Butler, by the way, suggests that the "tomorrow" to which he and Kelley point is unrelated to any — if any — future political plans of former Congressman (now private attorney) Pete McCloskey. ("We're non-profit, non-partisan, not tied to any individual's political aspirations," says Butler.)

After the '82 elections, says Butler, "A friend of mine who runs a foundation (Tom Layton, Gerbode Foundation of San Francisco) said to me, 'There's got to be a better way to conduct politics in this state.' And I was discouraged about the low level of campaigning, especially in the governor's campaign; the pure television nature of the campaign. I agreed there had to be a better way."

The Gerbode Foundation kicked in $5000 seed money toward this search for a "better way," and Butler "chipped in some of my own money" to hire Kelley "so he could travel around the state to get a sense of typical campaign practices." It didn't take long for

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the two men to understand how much time a politician must spend fund-raising. They also realized that campaign-finance reform was part of the "better way." But only part. According to Butler, even if lawmakers were relieved of the burden of raising money (and thus given more time to focus on issues), there was no pressure on them to address the state's long-range problems. This is because, as he and Kelley discovered, "People in California don't take politics all that seriously," says Butler.

What particularly bugged Butler, a candid, reasonable fellow, was the absence of a constituency, any constituency — public, media, legislative, political — "forced to take a look at long-range issues. Here we had a climate in which the feds were dumping problems back to the state level and, because of Proposition 13 (1978), the cities and counties were dumping their problems on the state. It's obvious that most issues critical to Californians are being decided in Sacramento. The future of the state was in the process of being mortgaged without anybody taking a serious look at that future."

Butler and Kelley envisioned a three-pronged "Campaign for California": research and publication of studies on long-term state issues; some sort of citizen participation in campaigns to inject discussion of futurism; and a fellowship program to nurture budding young potential leaders. Maybe, just maybe, Butler hoped, a political cadre could be developed in California that "would be rewarded for looking ahead, not just for band-aid management."

Out of gas

Just about the time Butler-Kelley were set to tilt at this windmill of indifference, California Tomorrow was exiting the stage of public affairs — with the curtain still up. "It just basically ran out of gas and out of leadership after 20 years," says Butler. "And that's understandable. But the things that Bruce and I wanted to do coincided with their aims, and so we talked to some of their people."

Thus, a new California Tomorrow, including old CT toilers Richard Reinhardt, the primary author of *California 2000*, and E. Jerome Tone, banker-environmentalist. Among the new group's advisors: William Matson Roth and one-time legislative analyst A. Alan Post. Among its board members: pediatrician-author Neal Halfon (*Growing Up in the Nuclear Age*) and Harvard law grad-farm worker-Fresno radio exec Hugo Morales.

With these merged credentials came more foundation bucks — additional Gerbode funding and a lavish $130,000 from the Irvine Foundation to finance the first four fellows. The reconstituted California Tomorrow begins with a kitty of $180,000, reports Butler, and San Francisco office space (in Fort Mason Center) donated by the Fort Mason Foundation. A Los Angeles office may be opened by year's end.

Once selected, the fellows will work half-time on issues research and half-time enlisting public and media support to force these issues into campaign rhetoric. Influencing the media, says Butler, is critical to their goals, and he and Kelley have already chatted with dozens of media types statewide. With media support, they figure, will come public support. "The huge question," says Butler, "is what anybody can do about television." If California Tomorrow can persuade television to air shows, spots and reports about issues of the future, then Butler feels the public might start thinking about tomorrow.

"But basically, right now, the public is getting what it deserves in Sacramento in terms of state government," says Butler. "It's the law of supply-and-demand. If the public doesn't give a bleep, that's just what they get: bleep."

And it's not, he adds, simply a question of arousing the citizenry. "We've got to unify the state's interest, create a statewide identity. The north-south split in California is not as big as it was 30 years ago. Not even over such issues as water."

The first issue to be studied by CT's fellows will be the state's changing population — "the future of this nation-state," as Kelley puts it, "as a multi-racial society in which, as currently projected, we will all be 'minorities' within 25 years."

This pointing toward tomorrow requires people who will still be around tomorrow. "A new generation interested in politics," as Butler describes the projected cadre of fellows and board members and media allies — a perspective based partly on his work with the Peace Corps during the '60s. "There may be some doubt in what the Peace Corps was able to accomplish in some of its overseas missions," says Butler, "but there's no doubt about what the experience did for Corps' members."

What will these people be like? Butler and Kelley present their first two examples, both women. The first is Victoria Diaz, 37-year-old assistant dean of Stanford Law School. The second is Delia Flores, a 29-year-old workers' compensation attorney. Diaz plans to spend her year as a fellow examining the 55 percent dropout rate for Latino public-school students. Flores wants to look at major changes in employment and working conditions on the Long Beach-San Pedro docks.

Butler harkens to the debate in the '70s about the potential bankruptcy of Social Security in the '80s; to early contention about the potential hazards of nuclear waste. In sum, he is saying: Put the problems on the table, talk about what to do about them, let the talkers be the sort of idealist-pragmatists whose juices were stirred by Peace Corps involvement — Corps-persons reincarnate.

"I really think California is a beautiful place," concludes Butler. "All the tests of democracy will take place here — the good things and bad. The test, for instance, of a multi-racial economy. If that can't be made to work in California, it can't be done. I hate to see people bad-mouthing state government without trying to do something about it."

And so — four California Tomorrow fellows this year, eight next, and who knows how many in '86, '88, ad infinitum; a geometric progression toward tomorrow without kissing today goodbye.

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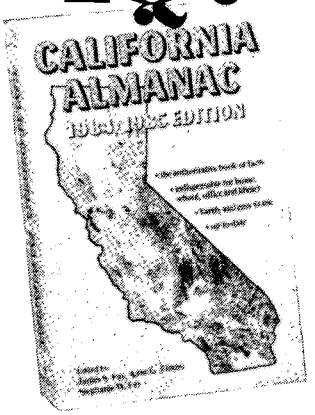

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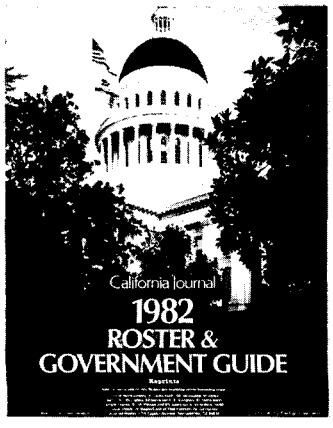

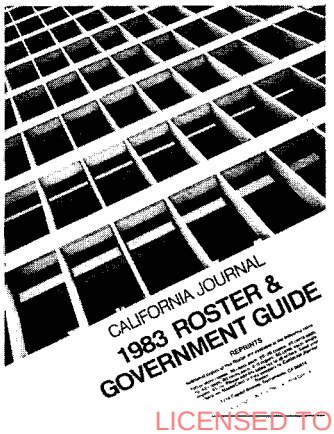

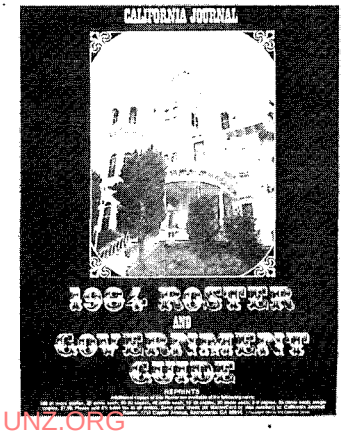

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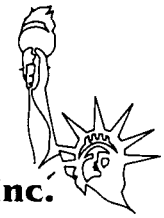

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Perspective from
WASHINGTON
By Leo Rennert

The Reagan magic

As the Chicago Cubs finished their Cinderella season, President Reagan reminisced about 1935 when he was a radio announcer broadcasting their games. That year, he said, they set a record that still stands. "The only mathematical chance they had to win the pennant was to win the last 21 games of the season, and they did it," he recalled. "But there had to be a psychological letdown after they had done that, so Detroit beat them four games straight."

IN TELLING THE STORY, Reagan committed two errors. The Cubs did win 21 straight, but not the last 21 games. And the Tigers beat them in the 1935 World Series, 4-2, not 4-0. A couple of statistical lapses, after nearly 50 years, may hardly be noteworthy. Except that Reagan's embellishment and alteration of facts have become such frequent occurences that they do deserve more than a shrug or a wink from jaded observers. It's not just that, as an Irishman, he likes to tell tall tales. His penchant for fantasy is one of his most enduring personality traits. His entire political outlook is driven by a propensity to overlook troubling facts that don't quite fit into his happy-go-lucky script and to substitute his own imaginary and more roseate version. Give Reagan a reality he doesn't like and, presto, he'll come right back at you with one that's much more pleasing. If, in the process, history gets bent out of shape, why make a big fuss? The Gipper's whoppers, so apparent when he debated Walter Mondale, are a regular fixture at the White House. The media long ago gave up trying to record and dissect each inaccuracy. After all, viewed separately, the president's fictional accounts seem fairly innocent and not worth dwelling on.

And yet, a closer look shows that Reagan's fertile talent for bending reality has been of great help in his meteoric career. Long before starring in movies, he soaked up happy-ending scenarios that were a Hollywood staple in the '30s and '40s. While he often talks about the Great Depression, he skips over its misery and prefers to dwell on isolated success stories. His engaging personality is rooted in an ability to edit out the unpleasant and to substitute an infectiously jolly vision. Reagan's critics miss the point when they maintain that he's merely a consummate actor, or Great Communicator, who gives a superb portrayal in cheerful roles. Reagan turns out to be so masterful and effective because he *is* the part he plays. No amount of clever White House choreography could do the trick without a star fully comfortable and thoroughly believing in the role of "Mr. Smith Goes to Washington" — the amateur outsider who rescues the Republican from villainous bureaucrats and treacherous special interests.

Is it any wonder that Reagan managed to grow in popularity and even sway voters still reeling from the recession? Most Americans, after the traumas of the '60s and '70s, desperately wanted a president with an upbeat vision. If Reagan was inclined to turn a blind eye to nagging social and economic problems, so was the electorate. With any other incumbent, there might have been something phony about so much religiosity and flag-waving. With Reagan, it was a perfect fit. Never mind issues, problems and gathering clouds. For Reagan, America's choice on Election Day is a simple one. Vote for Reagan and every day will be the Fourth of July; vote for Mondale and every day will be April 15th.

Reagan, with his inexhaustible knack for spreading such limitless optimism, is a bit like the Greek heroine in "Never On Sunday," who likes classic tragedies only because she has rewritten the endings. The plays no longer end in blood and death, but happily fade out as all the characters, alive and well, "go down to the seashore." Reagan has a similar capacity for elbowing aside disturbing events and substituting a happy script. He may cut billions from social programs, but proclaim that it's all painless because the "truly needy" are still taken care of. Never mind that he has never defined the dividing line between the merely needy and the "truly" needy. Or he will insist that the administration is absolutely opposed to protectionism, all the while muscling the Japanese to put "voluntary" curbs on auto exports to the United States. He has little use for life's ambiguities and contradictions. Keep it simple — and upbeat. While he likes to portray himself as a forceful, Churchillian leader, he shies away from spelling out or demanding sacrifices. No call for blood, sweat, toil and tears from him. It can all be done painlessly. American farmers can go on selling corn to the Russians. In 1980 Reagan assured voters the budget could be balanced without hurting social programs by eliminating waste, fraud and abuse. This year, saddled with $180 billion deficits, he blamed others for the fiscal mess and again refused to outline painful remedies that might be required after the election. When illusion and reality clash, Reagan invariably opts to protect the former.

His presidency has confounded conventional political analysis, which tends to focus on an administration's policies, programs and record. Reagan's success is much more personal; it operates on the level of folklore and make-believe. It's Hollywood's ultimate triumph, swallowing up everything before it. Viewed in this context, Reagan's bloopers and flights of fancy take on important significance. They are a roadmap to how he reinvents the world around him.

A JOKE DURING A MICROPHONE TEST about bombing the Russians suggests a yearning for simpler solutions than fruitless arms-control negotiations. Blaming the embassy bombing in Beirut on faulty intelligence policies of the Carter administration may have no basis in fact; but passing the buck prevents the audience from noticing that the hero may have feet of clay.

Like Walter Mitty, Reagan can quickly tune out drab events and switch on more dashing adventures. He embraced supply-side economics because it offered a seemingly painless way to overcome deficits with big tax cuts. Similarly, he launched his "Star Wars" plan to end the nuclear nightmare with a space-based shield against incoming missiles. Critics keep charging that he's dealing in mirages. But Reagan, ever the optimist, argues American still can remake the world. Whether his stuff is real or illusory, it topped the charts for most of his first term.

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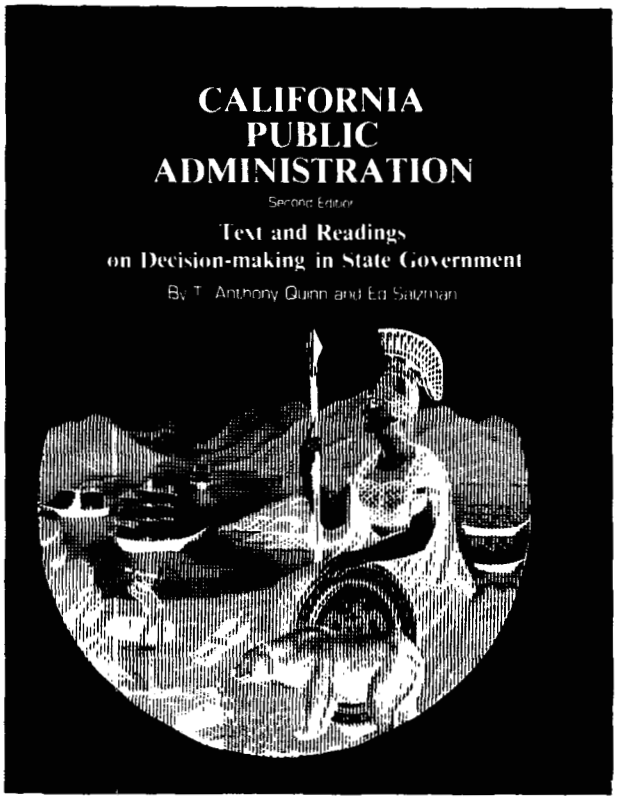

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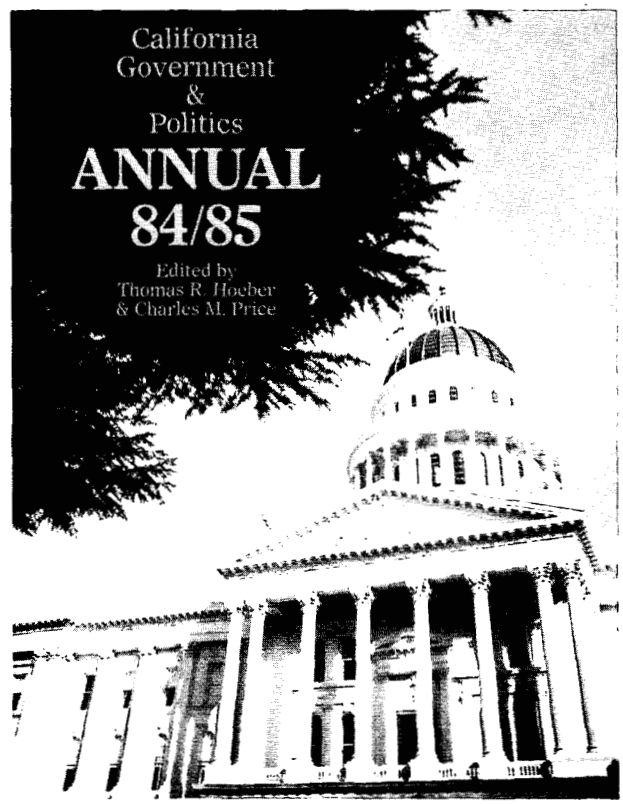

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